

Defendants.

X

**SUPPLEMENTAL DECLARATION OF KRISTEN L. HENDRICKS
ATTACHING EXHIBITS CITED IN CHEVRON CORPORATION'S
ANNOTATED AMENDED COMPLAINT**

I, KRISTEN L. HENDRICKS, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am an attorney licensed to practice law in the State of New York and before this Court. I am an associate in the law firm of Gibson, Dunn & Crutcher, LLP, counsel of record for Chevron Corporation (“Chevron”) in the above-captioned matter. I make this declaration, based on personal knowledge, in support of Chevron Corporation’s Motion for an Order of Attachment.

2. Attached hereto as Exhibit A is an annotated version of Chevron's April 20, 2011 Amended Complaint, filed in *Chevron Corp. v. Donziger et al.*, Case No. 11 Civ. 0691 (S.D.N.Y.). The text of this annotated version is identical to that of the Amended Complaint filed with the court on April 20, except that footnotes have been added which identify sources for the allegations contained therein.

CRUDE OUTTAKES AND MEDIA FILES

3. Attached to the February 3, 2011 Hendricks Declaration¹ as Exhibit 1 (Dkt. 6-2) is a CD containing true and correct copies of selected excerpts from the unreleased footage from the movie *Crude*. Pursuant to the orders of this Court and the Second Circuit Court of Appeals, on July 19, 2010, filmmaker Joseph Berlinger began producing to Chevron unreleased footage (“outtakes”) gathered during the filming of the movie *Crude*. The excerpts included in Exhibit 1 are segments of video excerpted from digitized copies of the tapes produced by Mr. Berlinger. The digitized copies were created, pursuant to Mr. Berlinger’s request, by a reputable post production house called PostWorks New York, located in New York City.

4. Attached to the Feb. 3 Hendricks Decl. as Exhibit 2 (Dkt. 6-3 through 8-5) are true and correct copies of the certified transcriptions and translations of the video files contained in Exhibit 1.

5. I have reviewed both the video files contained on Exhibit 1 and the certified transcriptions and translations of these video files contained in Exhibit 2. During the course of my representation of Chevron, I have developed personal knowledge of the visual identities of the following individuals:

- Richard Cabrera (court expert in the Lago Agrio Litigation)
- Carlos Beristain (member of Cabrera’s team)
- Steven Donziger (counsel for the Lago Agrio Plaintiffs)
- Pablo Fajardo Mendoza (counsel for the Lago Agrio Plaintiffs)
- Joseph Kohn (financier of the Lago Agrio Plaintiffs’ case)
- Luis Yanza (coordinator for the Lago Agrio Plaintiffs and representative of the Amazon Defense Front or Frente de Defensa de la Amazonia)
- Ann Maest (Managing Scientist at Stratus Consulting, Inc. and E-Tech International, consultants for the Lago Agrio Plaintiffs)

¹ Declaration of Kristen L. Hendricks In Support of Chevron Corporation’s Motion for Preliminary Injunction, filed in *Chevron Corp. v. Donziger*, Case No. 11 Civ. 0691 (S.D.N.Y. Feb. 6, 2011) at Dkts. 6-55 (hereinafter “Feb. 3 Hendricks Decl.”). All docket references herein are to Case No. 11 Civ. 0691.

- Douglas Beltman (Executive Vice President of Stratus Consulting, Inc.)
- Joshua Lipton (President of Stratus Consulting, Inc.)
- David Chapman (Principal of Stratus Consulting, Inc.)
- Preston Sowell (of Stratus Consulting, Inc.)
- Charles Champ (of Champ Science and Engineering, consultant for Lago Agrio Plaintiffs)
- Richard (“Dick”) Kamp (of E-Tech International)
- William Powers (subcontractor for Stratus Consulting, Inc.)
- Mark Quarles (consultant for the Lago Agrio Plaintiffs)
- Atossa Soltani (founder and director of Amazon Watch)
- Kevin Koenig (of Amazon Watch)
- Leila Salazar (of Amazon Watch)
- Alejandro Ponce Villacis (counsel for the Lago Agrio Plaintiffs)
- Julio Prieto Mendez (counsel for the Lago Agrio Plaintiffs)
- Juan Pablo Saenz Mena (counsel for the Lago Agrio Plaintiffs)
- Olga Lucía Gomez (member of the Lago Agrio Plaintiffs’ technical team)
- Luis Villacreces (expert for the Lago Agrio Plaintiffs)
- Luis Macas (leader of the Confederación de Nacionalidades Indígenas de Ecuador, a group of indigenous people in Ecuador)
- Ana Albán Mora (former Ecuadorian Minister of the Environment under President Correa)
- Alexis Mera (Secretary of Judicial Affairs, Ecuador)
- Trudie Styler (wife of singer Sting)
- Darryl Hannah (American actress)
- Adolfo Maldonado (of Acción Ecológica, an organization affiliated with the Amazon Defense Front)

6. I have discussed and confirmed the identification of the individuals in paragraph 4 in the video files contained on Exhibit 1 with other attorneys who represent Chevron. In addition, I have consulted various third-party resources to confirm the identities of these individuals. For example, I have viewed the movie *Crude* in its entirety. Richard Cabrera, Steven Donziger, Pablo Fajardo, and Luis Yanza are identified by name and role in the movie. I have also visited E-Tech International’s website (<http://www.etechninternational.org>) and viewed pictures of Ann Maest and Richard Kamp.

7. Attached to the Feb. 3 Hendricks Decl. as Exhibit 3 (Dkt. 8-6) is a true and correct copy of a tape log from the movie *Crude*, which was produced by Joseph Berlinger.

8. Attached to the Feb. 3 Hendricks Decl. as Exhibit 4 (Dkt. 8-7) is a true and correct copy of *Crude* the movie.

9. Attached to the Feb. 3 Hendricks Decl. as Exhibit 5 (Dkt. 8-8) is a true and correct copy of other media.

10. The video file identified on Exhibit 1 as CRS-028-01, shot on March 8, 2006 (according to J. Berlinger's footage log), depicts S. Donziger, P. Fajardo, and others discussing how there may be a "violent incident" if the judge does not allow their people to enter the judicial inspection.

11. The video file identified on Exhibit 1 as CRS-032-00-CLIP-01, shot on March 9, 2006 (according to J. Berlinger's footage log), depicts S. Donziger discussing efforts to mobilize the country politically "so that no judge can rule against [the Lago Agrio Plaintiffs]."

12. The video file identified on Exhibit 1 as CRS-034-03-CLIP-03, shot on March 9, 2006 (according to J. Berlinger's footage log), depicts a meeting between A. Soltani, A. Maest, M. Quarles, and W. Powers. Soltani tells the others that the judge "gave me his, uh, name, number, address, home number, cell phone, email."

13. The video file identified on Exhibit 1 as CRS-052-00-CLIP-05, shot on March 30, 2006 (according to J. Berlinger's footage log), depicts S. Donziger saying that "we're gonna confront" the judge and explaining that "this is something you would never do in the United States," "[b]ut Ecuador, you know, there's almost no rules here. And this is how the game is played, it's dirty."

14. The video file identified on Exhibit 1 as CRS-052-00-CLIP-06, shot on March 30, 2006 (according to J. Berlinger's footage log), depicts S. Donziger explaining that the Lago Agrio Plaintiffs intend to "pressure," "intimidat[e]," and "humiliat[e]" the judge.

15. The video file identified on Exhibit 1 as CRS-053-01, shot on March 30, 2006 (according to J. Berlinger's footage log), depicts S. Donziger and others discussing their reactions to Donziger's act of barging into an Ecuadorian judge's office.

16. The video file identified on Exhibit 1 as CRS-053-02-CLIP-03, shot on March 30, 2006 (according to J. Berlinger's footage log), depicts S. Donziger and A. Ponce discussing how Ecuadorian judges are "all corrupt!"

17. The video file identified on Exhibit 1 as CRS-059-00-CLIP-01, shot on an unknown date in early 2006 (according to J. Berlinger's footage log), depicts a meeting between S. Donziger and K. Koenig. Koenig reports that he spoke with the judge about how the other side gets more time to talk, and that the judge told him, "I just let them speak because they shoot themselves in the, in the foot."

18. The video file identified on Exhibit 1 as CRS-060-00-CLIP-04, shot on April 13, 2006 (according to J. Berlinger's footage log), depicts S. Donziger explaining that "this is not a legal case, this is a political battle that's being played out through a legal case" and "that's why we spend so much time on the politics."

19. The video file identified on Exhibit 1 as CRS-069-02-CLIP-03, shot on an unknown date, depicts S. Donziger discussing how the judicial inspections are "choreographed," and that "it's all about politics and arguing and bullshit and show."

20. The video file identified on Exhibit 1 as CRS-104-01-CLIP-01, shot on July 24, 2006 (according to J. Berlinger's footage log), depicts S. Donziger discussing the need to exert "personal psychological pressure" on Chevron's "top executives."

21. The video file identified on Exhibit 1 as CRS-105-00-CLIP-02, shot on July 24, 2006 (according to J. Berlinger's footage log), depicts a press conference speech by a

representative of the Coalición Nacional, formed to support the Amazon Defense Front. The representative states that “the Coalition will direct its troops, its artillery, so that [TexPet] is condemned once and for all in Ecuador and the international community.”

22. The video file identified on Exhibit 1 as CRS-109-00-CLIP-01, shot on November 14, 2006 (according to J. Berlinger’s footage log), depicts S. Donziger saying that “[w]e got these secret Texaco documents from a New York law firm that is representing the government of Ecuador in a contract dispute with Chevron,” but that “the New York law firm isn’t sure we should use them ‘cause they’re worried it will have a negative impact on their client’s interest in the New York case, which could also hurt us.”

23. The video file identified on Exhibit 1 as CRS-109-00-CLIP-02, shot on November 14, 2006 (according to J. Berlinger’s footage log), depicts S. Donziger expressing concern about doing something that “reinforces the notion that we’re [the Lago Agrio Plaintiffs and the Ecuadorian government] all . . . in bed together.”

24. The video file identified on Exhibit 1 as CRS-116-01-CLIP-01, shot on November 16 and 17, 2006 (according to J. Berlinger’s footage log), depicts S. Donziger and L. Yanza discussing seeking damages from Texaco instead of the government because Texaco can pay a judgment.

25. The video file identified on Exhibit 1 as CRS-129-00-CLIP-02, shot on an unknown date in late 2006 (according to J. Berlinger’s footage log), depicts S. Donziger, A. Ponce, and an unidentified woman at a restaurant. The woman observes that no judge would rule against the Lago Agrio Plaintiffs because “[h]e’ll be killed.” Donziger agrees, then comments, “He might not be, but . . . he thinks he will be Which is just as good.” Donziger then states, “You can solve anything with politics as long as the judges are intelligent enough to understand

the politics [T]hey don't have to be intelligent enough to understand the law, just as long as they understand the politics."

26. The video file identified on Exhibit 1 as CRS-137-03-CLIP-01, shot on December 6, 2006 (according to J. Berlinger's footage log), depicts a meeting at which a video presentation is being shown. The presentation depicts S. Donziger, L. Salazar and A. Soltani of Amazon Watch. In the video, Salazar states, "[w]e're working to turn up the heat on Chevron through various means, shareholder resolutions, major media coverage and major investigations through, for example, the Securities and Exchange Commission."

27. The video file identified on Exhibit 1 as CRS-138-02-CLIP-01, shot on December 6, 2006 (according to J. Berlinger's footage log), depicts a discussion between S. Donziger and A. Soltani. Donziger states, "The judge is going to appoint a guy in Ecuador, um, to be the expert but really, you know, we'll be supporting him with the work-- our people, E-Tech, whoever we choose to use."

28. The video file identified on Exhibit 1 as CRS-138-02-CLIP-02, shot on December 6, 2006 (according to J. Berlinger's footage log), depicts S. Donziger saying that "the six billion" number "was based on this very rough estimate," and "[t]he reality is, based on what this guy is telling me, [it] would cost less than that. Significantly less than that, you know?"

29. The video file identified on Exhibit 1 as CRS-145-03-CLIP-01, shot on January 16, 2007 (according to J. Berlinger's footage log), depicts S. Donziger, L. Yanza, and others discussing a plan to accuse the two lead Texaco lawyers have not paid their taxes, even while recognizing that "it's not been established."

30. The video file identified on Exhibit 1 as CRS-148-01-CLIP-01, shot on January 17, 2007 (according to J. Berlinger's footage log), depicts S. Donziger telling L. Yanza that it is

problematic that the newspaper has run a photograph of them with a Winston & Strawn attorney for the Republic of Ecuador. Donziger says that he will deny that he is in the photo, and that they have to be very careful.

31. The video file identified on Exhibit 1 as CRS-158-02-CLIP-06, shot on January 16, 2007 (according to J. Berlinger's footage log), depicts P. Fajardo reporting that he had two meetings with the President of the court of justice about the global expert examination, that they had tentatively set February 7 as the date the examination will begin. Fajardo says, "we have more or less an idea of who it could be," and that "the expert that the court will be placing will be out of town prior to the 7th."

32. The video file identified on Exhibit 1 as CRS-158-02-CLIP-09, shot on January 16, 2007 (according to J. Berlinger's footage log), depicts a meeting among S. Donziger, P. Fajardo, A. Villacis, J. Saenz, and J. Prieto about E-Tech's role in the global expert assessment. Donziger explains that "[s]cience has to serve the law practice; the law practice doesn't serve science."

33. The video file identified on Exhibit 1 as CRS-159-00-CLIP-06, shot on January 16, 2007 (according to J. Berlinger's footage log), depicts a meeting among S. Donziger, P. Fajardo, L. Yanza, J. Saenz, and J. Prieto. Donziger discusses strategies for determining the amount of damages to seek.

34. The video file identified on Exhibit 1 as CRS-159-00-CLIP-10, shot on January 16, 2007 (according to J. Berlinger's footage log), depicts S. Donziger, P. Fajardo, J. Prieto, A. Ponce, and others discussing how studies do not show a causal link between oil contamination and cancer.

35. The video file identified on Exhibit 1 as CRS-161-01-01-CLIP-01, shot on January 17, 2007 (according to J. Berlinger's footage log), depicts S. Donziger, P. Fajardo, L. Yanza, and others discussing getting Carlos Beristain involved in the global assessment.

36. The video file identified on Exhibit 1 as CRS-162-03-CLIP-01, shot on January 17 and 18, 2007 (according to J. Berlinger's footage log), depicts S. Donziger saying that he is "really upset" that Petroecuador, "has a, a cleanup plan, to clean up a bunch of pits." Donziger also discusses his meeting with President Correa and states, "You know, he's our friend, can we get to him? And we have to get to him."

37. The video file identified on Exhibit 1 as CRS-163-02-CLIP-02, shot on January 18, 2007 (according to J. Berlinger's footage log), depicts S. Donziger explaining that the Lago Agrio Plaintiffs and the Ecuadorian government have "been really helping each other."

38. The video file identified on Exhibit 1 as CRS-169-05-CLIP-01, shot on January 31, 2007 (according to J. Berlinger's footage log), depicts a portion of a meeting (the "January 31st meeting") between S. Donziger and J. Kohn. Donziger tells Kohn that the court will appointing the expert, and Kohn confirms that "our people would do the basic work and give it to this guy . . . 'Cause he's not gonna go out and do . . . the study." Donziger informs Kohn that "[i]t would be our team . . . that we would pay"

39. The video file identified on Exhibit 1 as CRS-169-05-CLIP-09, shot on January 31, 2007 (according to J. Berlinger's footage log), depicts a portion of the January 31st Meeting during which S. Donziger and J. Kohn discuss Chevron's concerns about a potential "conspiracy" between the Lago Agrio Plaintiffs and the Ecuadorian government. Kohn says, "If only they knew."

40. The video file identified on Exhibit 1 as CRS-169-05-CLIP-10, shot on January 31, 2007 (according to J. Berlinger's footage log), depicts a portion of the January 31st Meeting during which S. Donziger and J. Kohn discuss the proceedings before Judge Sand. Donziger notes that he was "helping [Ecuador's counsel] with [its response to Chevron's statement of undisputed facts] last night."

41. The video file identified on Exhibit 1 as CRS-170-00-CLIP-00, shot on January 31, 2007 (according to J. Berlinger's footage log), depicts a portion of the January 31st Meeting during which S. Donziger and J. Kohn discuss a report that the Attorney General of Ecuador gave to the U.S. Department of Justice. Donziger explains that the Lago Agrio Plaintiffs' attorneys and the Amazon Defense Front prepared the report for the Attorney General, and Kohn comments that this report is something that the Lago Agrio Plaintiffs "could facilitate going away at the right time..."

42. The video file identified on Exhibit 1 as CRS-170-00-CLIP-04, shot on January 31, 2007 (according to J. Berlinger's footage log), depicts a meeting between J. Kohn and an unidentified male. Kohn states that the Lago Agrio case "was not taken as a *pro bono* case," and "a lot of my motivation is that I think at the end of the day it will be a lucrative case for the firm."

43. The video file identified on Exhibit 1 as CRS-170-00-CLIP-06, shot on January 31, 2007 (according to J. Berlinger's footage log), depict S. Donziger and J. Kohn discussing the campaign against Chevron executives. Donziger explains the "cost-benefit" calculation of the pressure campaign: "I also think that if you run the costs in terms of the hassle, the management time, reputation, dealing with the board, looking bad, having your kids in school have friends who say 'hey, what did your daddy do in Ecuador'—I think all of that factors into it in an

extremely significant way, much more than the hard core costs, out of pocket expenses and stuff—I think that’s where they’re most vulnerable.”

44. The video file identified on Exhibit 1 as CRS-181-00-CLIP-04, shot on February 15, 2007 (according to J. Berlinger’s footage log), depicts S. Donziger discussing strategies for enforcing an Ecuadorian judgment overseas.

45. The video file identified on Exhibit 1 as CRS-187-01-02, shot on March 3, 2007 (according to J. Berlinger’s footage log), depicts a portion of a meeting (the “March 3rd Meeting”) at Selva Viva headquarters among members of the Lago Agrio Plaintiffs’ legal team (including S. Donziger, P. Fajardo, and L. Yanza), their technical team (including A. Maest, R. Kamp, C. Champ), and Richard Cabrera, who was officially appointed two weeks after the meeting to be the “independent” court expert in the Lago Agrio Litigation. In this meeting, the participants set out how they will plan and execute the “global assessment” that is supposed to be undertaken and completed by the “independent” expert. This excerpt shows Cabrera sitting next to a screen showing a PowerPoint presentation titled “Plan Para EI Examen Pericial Global.” P. Fajardo discusses the content of the expert report, including how the final report should look.

46. The video file identified on Exhibit 1 as CRS-188-00-CLIP-02, shot on March 3, 2007 (according to J. Berlinger’s footage log), depicts a portion of the March 3rd Meeting. Donziger discusses the legal standards they intend to apply in testing for contamination.

47. The video file identified on Exhibit 1 as CRS-188-01-CLIP-01, shot on March 3, 2007 (according to J. Berlinger’s footage log), depicts a portion of the March 3rd Meeting. S. Donziger describes the remediation performed by Texaco as fraudulent and a “criminal offense” and discusses the actions brought by the State of Ecuador in relation to the remediation.

48. The video file identified on Exhibit 1 as CRS-189-00-CLIP-02, shot on March 3, 2007 (according to J. Berlinger's footage log), depicts a portion of the March 3rd Meeting during which S. Donziger discusses a "work plan" for the global assessment to be prepared by the "independent" expert.

49. The video file identified on Exhibit 1 as CRS-189-00-CLIP-03, shot on March 3, 2007 (according to J. Berlinger's footage log), depicts a portion of the March 3rd Meeting during which S. Donziger discusses the plan for the afternoon and appears to address Richard Cabrera directly.

50. The video file identified on Exhibit 1 as CRS-189-00-CLIP-05, shot on March 3, 2007 (according to J. Berlinger's footage log), depicts a portion of the March 3rd Meeting during which S. Donziger discusses forming a work committee with A. Maest and the U.S. consultants to define and draft the work plan.

51. The video file identified on Exhibit 1 as CRS-189-01-CLIP-01, shot on March 3, 2007 (according to J. Berlinger's footage log), depicts a portion of the March 3rd Meeting during which P. Fajardo, S. Donziger, and L. Yanza, and others discuss the presence of the FARC in the area.

52. The video file identified on Exhibit 1 as CRS-191-00-CLIP-02, shot on March 3, 2007 (according to J. Berlinger's footage log), depicts a portion of the March 3rd Meeting. Richard Cabrera introduces himself and appears briefly on screen.

53. The video file identified on Exhibit 1 as CRS-191-00-CLIP-03, shot on March 3, 2007 (according to J. Berlinger's footage log), depicts a portion of the March 3rd Meeting. P. Fajardo discusses how writing the expert report is the responsibility of everyone in the room.

54. The video file identified on Exhibit 1 as CRS-192-00-CLIP-01, shot on March 3, 2007 (according to J. Berlinger's footage log), depicts a portion of the March 3rd Meeting. Richard Cabrera is depicted.

55. The video file identified on Exhibit 1 as CRS-193-00-CLIP-01, shot on March 3, 2007 (according to J. Berlinger's footage log), depicts a portion of the March 3rd Meeting. S. Donziger discusses damages and suggests that the damages could be increased to \$30 billion.

56. The video file identified on Exhibit 1 as CRS-195-05-CLIP-01, shot on March 4, 2007 (according to J. Berlinger's footage log), depicts a portion of a meeting among S. Donziger, A. Maest, C. Champ, and R. Kamp, during which they discuss the global assessment (the "March 4th Meeting"). One of the experts discusses the need for evidence, and Donziger responds that they can "say whatever [they] want and at the end of the day," what will matter is public pressure on the court. Donziger also notes that "this is all for the Court just a bunch of smoke and mirrors and bullshit."

57. The video file identified on Exhibit 1 as CRS-196-00-CLIP-01, shot on March 4, 2007 (according to J. Berlinger's footage log), depicts a portion of the March 4th Meeting during which S. Donziger says that the Lago Agrio Plaintiffs' "goal is that [Chevron doesn't] know shit." After one of the environmental experts references their interaction with Cabrera, Donziger instructs him not to talk about it and tells the camera crew that those statements were "off the record."

58. The video file identified on Exhibit 1 as CRS-198-00-CLIP-06, shot on March 4, 2007 (according to J. Berlinger's footage log), depicts a portion of the March 4th Meeting during which S. Donziger says that a lawyer he worked for told him, "Facts do not exist. Facts are created." Donziger says that "ever since that day, I realized how the law works."

59. The video file identified on Exhibit 1 as CRS-200-02-CLIP-03, shot on March 3 and 4, 2007 (according to J. Berlinger's footage log), depicts S. Donziger discussing the fees he would obtain from a settlement.

60. The video file identified on Exhibit 1 as CRS-208-02-CLIP-01, shot on March 5, 2007 (according to J. Berlinger's footage log), depicts S. Donziger saying that the judge is "just not moving on a key issue and we're meeting with a Supreme Court judge today to talk about it."

61. The video file identified on Exhibit 1 as CRS-210-02-CLIP-01, shot on March 6, 2007 (according to J. Berlinger's footage log), depicts a press conference during which the Lago Agrio Plaintiffs' representative L. Macas noted that Plaintiffs had held a meeting with Judge German Yáñez the day prior, concerning the global expert report.

62. The video file identified on Exhibit 1 as CRS-211-01-CLIP-01, shot on March 6, 2007 (according to J. Berlinger's footage log), depicts S. Donziger later referring to L. Macas's comments as "dangerous" because "we have to be very careful to not give the idea" that the Lago Agrio Plaintiffs are not "respecting the basis of the case."

63. The video file identified on Exhibit 1 as CRS-221-02-CLIP-01, shot on March 29, 2007 (according to J. Berlinger's footage log), depicts a meeting of P. Fajardo, A. Ponce, and J. Prieto, and L. Yanza with A. Mera, Ecuador's Secretary of Judicial Affairs.

64. The video file identified on Exhibit 1 as CRS-255-00-CLIP-01, shot on April 24, 2007 (according to J. Berlinger's footage log), depicts S. Donziger discussing the United States-Ecuador Bilateral Investment Treaty and stating that "one of the things we're talking about now with Ecuador's Government is to either get rid of these treaties or modify them."

65. The video file identified on Exhibit 1 as CRS-261-00-CLIP-01, shot on April 24, 2007 (according to J. Berlinger's footage log), depicts S. Donziger discussing the work of

Amazon Watch, and stating that “the pain Amazon Watch can cause Chevron in many respects is greater than the pain we can cause.”

66. The video file identified on Exhibit 1 as CRS-268-00-CLIP-01, shot on April 26, 2007 (according to J. Berlinger’s footage log), depicts S. Donziger talking on the phone and saying that it might be time to “ask for the head of Perez Pallares.”

67. The video file identified on Exhibit 1 as CRS-269-01-04, shot on April 26, 2007 (according to J. Berlinger’s footage log), depicts a meeting (the “April 26th Meeting”) held at Stratus’s office. The video shows A. Maest at the meeting, and S. Donziger confirms that D. Chapman, J. Lipton, P. Sowell, and D. Beltman are also present. Donziger explains that they recently received an order that the damages claim needs to be finished in 120 days.

68. The video file identified on Exhibit 1 as CRS-269-01-08, shot on April 26, 2007 (according to J. Berlinger’s footage log), depicts a later part of the April 26th Meeting. J. Lipton recaps some of the damages categories discussed and says to S. Donziger, “we loved the whole package.”

69. The video file identified on Exhibit 1 as CRS-345-02-CLIP-05, shot on June 4, 2007 (according to J. Berlinger’s footage log), depicts S. Donziger and P. Fajardo meeting *ex parte* with Lago Agrio Judge Yáñez about swearing in Richard Cabrera.

70. The video file identified on Exhibit 1 as CRS-346-00-CLIP-02, shot on June 4, 2007 (according to J. Berlinger’s footage log), depicts S. Donziger and P. Fajardo discussing the need to “be more and more aggressive,” and “organize pressure demonstrations at the court and vigilance.” Fajardo notes that “the idea is to teach a lesson to this judge” and send a “message to the court.”

71. The video file identified on Exhibit 1 as CRS-347-00-CLIP-01, shot on June 4 and 5, 2007 (according to J. Berlinger's footage log), depicts A. Soltani, actress D. Hannah, and others meeting *ex parte* with Lago Agrio Judge Yánez. Soltani questions Judge Yánez about why the global expert investigation process has not yet started.

72. The video file identified on Exhibit 1 as CRS-350-04-CLIP-01, shot on June 6, 2007 (according to J. Berlinger's footage log), depicts a portion of the June 6th Meeting. S. Donziger discusses the need for the Lago Agrio Plaintiffs to "do more, politically, to control the court, to pressure the court" since, according to Donziger, the Ecuadorian court "make[s] decisions based on who they fear the most."

73. The video file identified on Exhibit 1 as CRS-350-04-CLIP-02, shot on June 6, 2007 (according to J. Berlinger's footage log), depicts a portion of the June 6th Meeting during which S. Donziger discusses the Lago Agrio Plaintiffs' need for their "own army . . . to watch over the court." The group discusses this idea in some detail with L. Yanza noting that they can "provide weapons" to the army if need be. A. Soltani points out to Donziger that "it's illegal to conspire to break the law" and asks whether the *Crude* footage can be subpoenaed.

74. The video file identified on Exhibit 1 as CRS-361-11-CLIP-01, shot on June 13, 2007 (according to J. Berlinger's footage log), depicts S. Donziger stating that the court "never would have done [Richard Cabrera's appointment] had we not really pushed him."

75. The video file identified on Exhibit 1 as CRS-376-03-CLIP-01, shot on June 8, 2007 (according to J. Berlinger's footage log), depicts P. Fajardo discussing "re-open[ing]" the "investigation into the fraud of—of the contract between Texaco and the Ecuadorian Government."

76. The video file identified on Exhibit 1 as CRS-376-04-CLIP-01, shot on June 8, 2007 (according to J. Berlinger's footage log), depicts S. Donziger discussing that the Lago Agrio Plaintiffs need to control and pressure the judge, in part by using the President's influence: "[l]ike the President of the country calling him out." Donziger discusses "pressuring the national prosecutor to open criminal cases."

77. The video file identified on Exhibit 1 as CRS-421-00-CLIP-03, shot on July 24, 2007 (according to J. Berlinger's footage log), depicts a meeting P. Fajardo, S. Donziger, T. Styler, A. Albán, and several unidentified people. Albán, who is presenting to the group, says that a "very close . . . friend of the [Lago Agrio Plaintiffs' group] Frente de Amazonía" is working with her on the remediation.

78. The video file identified on Exhibit 1 as CRS-482-00-CLIP-01, shot on April 14, 2008 (according to J. Berlinger's footage log), depicts S. Donziger speaking about the strategy to enforce the Ecuadorian judgment.

EVIDENCE CITED IN ANNOTATED AMENDED COMPLAINT

INTRODUCTION

79. Attached hereto as Exhibit BU is a true and correct copy of an email dated October 16, 2009 from A. Woods to S. Donziger with the subject "New Partners Plan in email – since you're travelling," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0349678.

80. Attached to the Feb. 3 Hendricks Decl. as Exhibit 6 (Dkt. 8-9) is a true and correct copy of portions of the transcript of the deposition of Steven Donziger, taken on November 29, 2010, December 1, 2010, December 8, 2010, December 13, 2010, December 22,

2010, December 23, 2010, December 29, 2010, January 8, 2011 and January 18, 2011, in *In re Application of Chevron*, No. 10 MC 00002 (LAK) (S.D.N.Y.).

81. Attached to the Feb. 3 Hendricks Decl. as Exhibit 7 (Dkt. 8-10 through 8-13) is a true and correct copy of a filing by P. Fajardo in the Lago Agrio Litigation on September 16, 2008, purporting to pose comments and questions about the “Expert Opinion submitted by the Expert, Richard Cabrera,” and a certified English translation thereof.

82. Attached to the Feb. 3 Hendricks Decl. as Exhibit 8 (Dkt. 9-2 through 9-3) is a true and correct copy of Cabrera’s Supplemental Report, filed in the Lago Agrio Litigation on November 17, 2008, and a certified English translation thereof.

83. Attached to the Feb. 3 Hendricks Decl. as Exhibit 9 (Dkt. 9-4) is a true and correct copy of an email chain dated October 27, 2008 among D. Beltman, J. Peers, and A. Maest with the subject, “Ecuador. Doug – you should read this,” produced by Stratus and bearing the Bates numbers STRATUS-NATIVE051388 – 051389.

84. Attached to the Feb. 3 Hendricks Decl. as Exhibit 10 (Dkt. 9-5) is a true and correct copy of an email dated August 1, 2008 from D. Beltman to A. Maest and others at Stratus with the subject, “Cabrera report comments,” produced by Stratus and bearing the Bates numbers STRATUS-NATIVE058697 – 058698.

85. Attached to the Feb. 3 Hendricks Decl. as Exhibit 11 (Dkt. 9-6) is a true and correct copy of an email dated March 30, 2010 from J. Prieto to S. Donziger, L. Yanza, and P. Fajardo with the subject, “Protection Action,” produced by S. Donziger and bearing the Bates number DONZ00055225, and a certified English translation thereof.

86. Attached to the Feb. 3 Hendricks Decl. as Exhibit 12 (Dkt. 9-7) is a true and correct copy of an email chain dated May 16, 2010 among J. Horowitz, A. Wilson, S. Donziger,

and others with the subject, “Rule 60(b) And Stratus Materials,” produced by S. Donziger and bearing the Bates number DONZ00056679.

87. Attached to the Feb. 3 Hendricks Decl. as Exhibit 13 (Dkt. 9-8) is a true and correct copy of an email chain dated May 25, 2010 among E. Westenberger, J. Abady, and others ending with an email with the subject, “print for trip,” produced by S. Donziger and bearing the Bates numbers DONZ00067932 – 00067933.

PARTIES AND RELEVANT NON-PARTIES

88. Attached to the Feb. 3 Hendricks Decl. as Exhibit 14 (Dkt. 9-9) is a true and correct copy of an email dated November 3, 2006 from S. Donziger to David Kuhn with the subject, “Book Proposal attached,” and attachments, produced by S. Donziger and bearing the Bates numbers DONZ00006706 – 00006709.

89. Attached hereto as Exhibit EJ is a true and correct copy of the declaration of Pablo Fajardo Mendoza, and a certified English translation thereof, filed on January 19, 2011 in *In re Application of Chevron Corp.*, 10-mc-00002 (LAK) (S.D.N.Y.), Dkt. 167-1.

FACTUAL BASIS FOR CLAIMS

A. Background

1. TexPet Participates in Ecuador’s State Oil Consortium and Negotiates Release From Liability in Return for Specified Remediation

90. Attached to the Feb. 3 Hendricks Decl. as Exhibit 15 (Dkt. 9-10 through 9-14) is a true and correct copy of Superior Decree No. 205-A, dated February 5, 1964, published in Official Record No. 186 on February 21, 1964, and a certified English translation thereof.

91. Attached to the Feb. 3 Hendricks Decl. as Exhibit 16 (Dkt. 10-2 through 18-13) is a true and correct copy of an Agreement Between the Government of Ecuador, Ecuadorian Gulf

Oil Company, and Texaco Petroleum Company, dated August 6, 1973, and a certified English translation thereof.

92. Attached to the Feb. 3 Hendricks Decl. as Exhibit 17 (Dkt. 18-14 through 19-5) is a true and correct copy of an Agreement Among the Government of Ecuador, Ecuadorian Petroleum Corporation, and Ecuadorian Gulf Oil Company, dated May 27, 1977, bearing the Bates number ROE002548, and a certified English translation thereof.

93. Attached to the Feb. 3 Hendricks Decl. as Exhibit 18 (Dkt. 19-6) is a true and correct copy of the Napo Agreements and Napo Joint Operating Agreement made and entered into on January 1, 1965.

94. Attached to the Feb. 3 Hendricks Decl. as Exhibit 19 (Dkt. 19-7 through 20-3) is a true and correct copy of an Agreement for the Change of Operator of the Consortium Petroecuador-Texaco, dated June 30, 1990, and a contemporaneous English translation thereof.

95. Attached to the Feb. 3 Hendricks Decl. as Exhibit 20 (Dkt. 20-4) is a true and correct copy of an article by Kristi Jacques entitled, “Environmental Justice Case Study: Texaco’s Oil Production in the Ecuadorian Rainforest,” *available at* <http://www.umich.edu/~snre492/Jones/texaco.htm>.

96. Attached to the Feb. 3 Hendricks Decl. as Exhibit 21 (Dkt. 20-5) is a true and correct copy of an article entitled, “Petroecuador diagnostica los daños ambientales por crudo” [“Petroecuador assesses environmental damage caused by crude oil”], EL UNIVERSO, dated February 28, 2009, *available at* <http://www.eluniverso.com/2009/02/28/1/1356/45286F57B7784D0EBCD19E45E5A974DE.htm> 1, and a certified English translation thereof.

97. Attached to the Feb. 3 Hendricks Decl. as Exhibit 22 (Dkt. 20-6 through 20-7) is a true and correct copy of statements made by President Rafael Correa at a press conference in Lago Agrio, Ecuador, dated April 27, 2007, and a certified English translation thereof.

98. Filed concurrently with the Feb. 3 Hendricks Decl. as Exhibit 5 (Dkt. 8-8) is a DVD with a true and correct copy of an audio recording of the statements made by President Rafael Correa at the press conference in Lago Agrio, Ecuador on April 27, 2007.

99. Attached to the Feb. 3 Hendricks Decl. as Exhibit 23 (Dkt. 20-8) is a true and correct copy of the Final Report of the FLACSO-Petroecuador Project Phase Two: Study on Socio-Environmental Conflicts in the Sacha and Shushufindi Fields (1994-2002) by Dr. Guillaume Fontaine, dated November 2003, and a certified English translation thereof.

100. Attached to the Feb. 3 Hendricks Decl. as Exhibit 24 (Dkt. 20-9) is a true and correct copy of portions of the transcript of the deposition of Diego Tamariz, taken on November 14, 2006, in *Republic of Ecuador v. ChevronTexaco Corp.*, No. 04CV8378LBS (S.D.N.Y.).

101. Attached to the Feb. 3 Hendricks Decl. as Exhibit 25 (Dkt. 20-10) is a true and correct copy of a letter from Diego Tamariz Serrano, Minister of Energy and Mines, to Luis Román Lazo, Executive President of Petroecuador, and a contemporaneous English translation thereof.

102. Attached to the Feb. 3 Hendricks Decl. as Exhibit 26 (Dkt. 20-11) is a true and correct copy of a letter dated May 11, 1990 from Diego Tamariz Serrano, Minister of Energy and Mines, to Warren Gillies, General Manager of Texaco Petroleum Company, and a contemporaneous English translation thereof.

103. Attached to the Feb. 3 Hendricks Decl. as Exhibit 27 (Dkt. 20-12) is a true and correct copy of a letter dated June 1, 1990 from Warren Gillies, Vice President and Managing

Director of Texaco Petroleum Company, to Diego Tamariz, Minister of Energy and Mining, and a contemporaneous English translation thereof.

104. Attached to the Feb. 3 Hendricks Decl. as Exhibit 28 (Dkt. 20-13) is a true and correct copy of a letter dated June 1, 1992 from Nat. Hydrocarbons Dir., Department of Technical Registry to Rafael Almeida Mancheno, Minister of Energy and Mining, and a contemporaneous English translation thereof.

105. Attached to the Feb. 3 Hendricks Decl. as Exhibit 29 (Dkt. 20-14) is a true and correct copy of portions of the transcript of the deposition of Giovanni Elicio Mario Rosania Schiavone, taken on October 19, 2006, in *Republic of Ecuador v. ChevronTexaco Corp.*, No. 04 CV 8378 LBS (S.D.N.Y.).

106. Attached to the Feb. 3 Hendricks Decl. as Exhibit 30 (Dkt. 20-15) is a true and correct copy of a letter dated July 8, 1994 from Patrick Lynch to Alberto Dahik, Constitutional Vice President of the Republic of Ecuador, and a contemporaneous English translation thereof.

107. Attached to the Feb. 3 Hendricks Decl. as Exhibit 31 (Dkt. 20-16) is a true and correct copy of the Opinion of Dr. Celia Armas Erazo de Tobar, Deputy Prosecutor General addressed to the Presiding Justice of the Criminal Division of the Ecuadorian Supreme Court, regarding the Preliminary Criminal Investigation commenced by means of a criminal complaint filed against Ricardo Reis Veiga, Rodrigo Pérez Pallares, and others, and a certified English translation thereof.

108. Attached to the Feb. 3 Hendricks Decl. as Exhibit 32 (Dkt. 21-2 through 21-3) is a true and correct copy of a Memorandum of Understanding Between the Government of Ecuador, Petroecuador and Texaco Petroleum Company, dated December 14, 1994, and a certified English translation thereof.

109. Attached to the Feb. 3 Hendricks Decl. as Exhibit 33 (Dkt. 21-4) is a true and correct copy of the Constitution of the Republic of Ecuador, Codification of 1993, Law No. 25, Official Registry No. 183, and a certified English translation thereof.

110. Attached to the Feb. 3 Hendricks Decl. as Exhibit 34 (Dkt. 21-5) is a true and correct copy of the Affidavit of Ambassador Edgar Terán dated January 3, 1996, filed in *Aguinda v. Texaco, Inc.*, No. 93 CIV. 7527 (BDP) (LMS) (S.D.N.Y.).

111. Attached to the Feb. 3 Hendricks Decl. as Exhibit 35 (Dkt. 21-6) is a true and correct copy of the Supplemental Brief *Amicus Curiae* of the Republic of Ecuador dated January 11, 1996, filed in *Aguinda v. Texaco, Inc.*, No. 93 CIV. 7527 (BDP) (LMS) (S.D.N.Y.).

112. Attached to the Feb. 3 Hendricks Decl. as Exhibit 36 (Dkt. 21-7) is a true and correct copy of the Report of the Special Permanent Environmental Commission of the National Congress, dated November 9, 1994, and contemporaneous English translation thereof.

113. Attached to the Feb. 3 Hendricks Decl. as Exhibit 37 (Dkt. 21-8) is a true and correct copy of a letter dated October 20, 1994 from Environmental Advisers to Alberto Dahik, Vice President of the Republic of Ecuador.

114. Attached to the Feb. 3 Hendricks Decl. as Exhibit 38 (Dkt. 21-9) is a true and correct copy of a letter dated November 10, 1994 from D. York LeCorgne, President of Texaco Petroleum Company, to Alberto Dahik, Constitutional Vice President of the Republic of Ecuador and President in Charge, and a contemporaneous English translation thereof.

115. Attached to the Feb. 3 Hendricks Decl. as Exhibit 39 (Dkt. 21-10) is a true and correct copy of a letter dated October 5, 1994 from L. Yanza, President of Frente de Defensa de la Amazonia, and Edmundo Vargas, President of Confeniae, to Durán Ballén, Constitutional President of the Republic of Ecuador, and a contemporaneous English translation thereof.

116. Attached to the Feb. 3 Hendricks Decl. as Exhibit 40 (Dkt. 21-11) is a true and correct copy of a letter dated October 20, 1994 from Teodoro Bustamante, National Executive Director of Fundación Natura, to Geovanny Rosanía, Department of Environmental Protection of Petroecuador, enclosing the comments of the Fundación Natura to the draft Agreement between TexPet and Petroecuador, and a contemporaneous English translation thereof.

117. Attached to the Feb. 3 Hendricks Decl. as Exhibit 41 (Dkt. 21-12) is a true and correct copy of a letter dated February 22, 1995 from L. Yanza, President of Frente de Defensa de la Amazonia, to Galo Abril, Minister of Energy and Mines, and a certified English translation thereof.

118. Attached to the Feb. 3 Hendricks Decl. as Exhibit 42 (Dkt. 21-13) is a true and correct copy of portions of the transcript of the deposition of Galo Abril Ojeda, taken on October 10, 2006 in *Rep. of Ecuador v. ChevronTexaco Corp.*, No. 04cv8378 (LBS) (S.D.N.Y.).

119. Attached to the Feb. 3 Hendricks Decl. as Exhibit 43 (Dkt. 21-14) is a true and correct copy of the Republic of Ecuador Ministry of Energy and Mines, Work Session Record, TexPet Remediation Agreement, dated February 22, 1995, and a certified English translation thereof.

120. Attached to the Feb. 3 Hendricks Decl. as Exhibit 44 (Dkt. 21-15) is a true and correct copy of the Scope of the Environmental Remedial Work agreed upon by the Ecuadorian Government, Petroecuador, and Texaco Petroleum Company, and a contemporaneous English translation thereof.

121. Attached to the Feb. 3 Hendricks Decl. as Exhibit 45 (Dkt. 21-16) is a true and correct copy of the Delivery – Acceptance of Meeting Minutes, Minister of Energy and

Mines/Petroecuador/TexPet, dated November 15, 1995, and a contemporaneous English translation thereof.

122. Attached to the Feb. 3 Hendricks Decl. as Exhibit 46 (Dkt. 21-17) is a true and correct copy of the Final Document dated September 30, 1998, by and between the Government of the Republic of Ecuador, Petroecuador, Petroproducción, and TexPet, and a contemporaneous English translation thereof.

123. Attached to the Feb. 3 Hendricks Decl. as Exhibit 47 (Dkt. 21-18 through 22-11) is a true and correct copy of the Contract for Implementing of Environmental Remedial Work and Release From Obligations, Liability and Claims by and between the Government of Ecuador, Petroecuador, and Texaco Petroleum Company, dated May 4, 1995, and a contemporaneous English translation thereof.

124. Attached to the Feb. 3 Hendricks Decl. as Exhibit 48 (Dkt. 22-12) is a true and correct copy of the Lago Agrio Municipality Complaint filed on July 25, 1994, and contemporaneous translation thereof.

125. Attached to the Feb. 3 Hendricks Decl. as Exhibit 49 (Dkt. 22-13 through 23-3) is a true and correct copy of the Joya De Los Sachas Complaint, May 12, 1994, ¶ 4 (seeking to vindicate “the health of all citizens, animals, species, flora, fauna, rivers, water sources and soil”), and contemporaneous translation thereof.

126. Attached to the Feb. 3 Hendricks Decl. as Exhibit 50 (Dkt. 23-4 through 23-5) is a true and correct copy of the Francisco de Orellana (Coca) Municipality Complaint, August 23, 1994 (same). *Id.* at 5 (citing Municipal System Law, arts. 2, 12, 19, 20, 164 (entrusting the municipalities with “[c]aring for the . . . health of the canton,” and “ensuring faithful compliance with the legal rules on [the] environment[] . . . and especially those rules related to . . . toxic . . .

emissions and other factors that may affect the health and well-being of the population”), and contemporaneous translation thereof.

127. Attached to the Feb. 3 Hendricks Decl. as Exhibit 51 (Dkt. 23-6) is a true and correct copy of the Shushufindi Municipality Complaint, July 20, 1994 (seeking to vindicate “the rights of the community at large” with respect to environmental pollution), and a certified English translation thereof.

128. Attached to the Feb. 3 Hendricks Decl. as Exhibit 52 (Dkt. 23-7 through 23-9) is a true and correct copy of the Contract of Settlement and Release From Obligations and Claims, Executed Between the Municipality of Lago Agrio, Province of Sucumbios, and the Company Texaco Petroleum Company, dated May 2, 1996, and a contemporaneous English translation thereof.

129. Attached to the Feb. 3 Hendricks Decl. as Exhibit 53 (Dkt. 23-10) is a true and correct copy of the Contract of Settlement and Release From Obligations, Responsibilities, and Claims, Executed Between the Municipality of La Joya de los Sachas and Texaco Petroleum Company, dated May 2, 1996, and a contemporaneous English translation thereof.

130. Attached to the Feb. 3 Hendricks Decl. as Exhibit 54 (Dkt. 24-2 through 24-5) is a true and correct copy of the Contract of Settlement and Release From Obligations, Responsibilities and Claims, Executed Between the Municipality of the Canton of Francisco de Orellana (Coca) and the Company Texaco Petroleum Company, dated May 2, 1996, and a contemporaneous English translation thereof.

131. Attached to the Feb. 3 Hendricks Decl. as Exhibit 55 (Dkt. 24-6 through 24-8) is a true and correct copy of the Contract of Settlement and Release From Obligations,

Responsibilities and Claims, Executed Between the Municipality of Shushufindi and Texaco Petroleum Company, dated May 2, 1996, and a contemporaneous English translation thereof.

132. Attached to the Feb. 3 Hendricks Decl. as Exhibit 56 (Dkt. 25-2) is a true and correct copy of the Judgment Approving the Settlement, Court in Civil Matters of Napo, Los Joya de los Sachas, June 12, 1996, and a contemporaneous translation thereof.

133. Attached to the Feb. 3 Hendricks Decl. as Exhibit 57 (Dkt. 25-3) is a true and correct copy of the Judgment Approving the Settlement, Second Court in Civil Matters of Sucumbios, Shushufindi, May 8, 1996, and a contemporaneous translation thereof.

134. Attached to the Feb. 3 Hendricks Decl. as Exhibit 58 (Dkt. 25-4) is a true and correct copy of the Judgment Approving the Settlement, Court in Civil Matters of Orellana, June 25, 1996, and a contemporaneous translation thereof.

135. Attached to the Feb. 3 Hendricks Decl. as Exhibit 59 (Dkt. 25-5 through 25-8) is a true and correct copy of the Judgment Approving the Settlement between the Municipality of Lago Agrio and Texaco Petroleum Company, First Civil Court Sucumbíos, dated September 19, 1996, and a contemporaneous English translation thereof.

136. Attached to the Feb. 3 Hendricks Decl. as Exhibit 60 (Dkt. 25-9 through 25-11) is a true and correct copy of the Contract of Settlement and Release From Obligations, Responsibilities and Claims, Executed Between the Provincial Prefect's Office of Sucumbios and Texaco Petroleum Company, dated May 2, 1996, and a contemporaneous English translation thereof.

137. Attached to the Feb. 3 Hendricks Decl. as Exhibit 61 (Dkt. 25-12) is a true and correct copy of the Instrument of Settlement and Release From Obligations, Responsibilities and Claims by the Municipalities Consortium of the Province of Napo-Comuna, releasing Texaco

Petroleum Company, Texaco, Inc., and any other affiliate, subsidiary or related company, dated April 26, 1996, and a contemporaneous English translation thereof.

138. Attached to the Feb. 3 Hendricks Decl. as Exhibit 62 (Dkt. 26-2 through 26-3) is a true and correct copy of the Remedial Action Plan for the Former Petroecuador-TexPet Consortium, dated September 8, 1995, and a contemporaneous translation thereof.

139. Attached to the Feb. 3 Hendricks Decl. as Exhibit 63 (Dkt. 26-4 through 26-7) is a true and correct copy of sections one and nine of Woodward-Clyde International's Final Report of the remediation and reclamation work completed for TexPet dated May 2000.

140. Attached to the Feb. 3 Hendricks Decl. as Exhibit 64 (Dkt. 26-8) is a true and correct copy of Acta 1 [Certificate 1] dated February 26, 1996, by Ecuador's Undersecretary of Environmental Protection, Head of Environmental Protection Unit of Petroecuador, National Director of Environmental Protection, and Ricardo Reis Veiga and Rodrigo Pérez of TexPet, and a certified English translation thereof.

141. Attached to the Feb. 3 Hendricks Decl. as Exhibit 65 (Dkt. 26-9) is a true and correct copy of Acta 2 [Certificate 2] dated March 14, 1996, by Ecuador's Undersecretary of Environmental Protection, Head of Environmental Protection Unit of Petroecuador, National Director of Environmental Protection, and Ricardo Reis Veiga and Rodrigo Pérez of TexPet, and a certified English translation thereof.

142. Attached to the Feb. 3 Hendricks Decl. as Exhibit 66 (Dkt. 26-10) is a true and correct copy of Acta 3 [Certificate 3] dated April 11, 1996, by Ecuador's Undersecretary of Environmental Protection, National Director of Environmental Protection, and Ricardo Reis Veiga and Rodrigo Pérez of TexPet, and a certified English translation thereof.

143. Attached to the Feb. 3 Hendricks Decl. as Exhibit 67 (Dkt. 27-2) is a true and correct copy of Acta 4 [Certificate 4] dated July 24, 1996, by Ecuador's Undersecretary of Environmental Protection, National Director of Environmental Protection, and Ricardo Reis Veiga and Rodrigo Pérez of TexPet, and a certified English translation thereof.

144. Attached to the Feb. 3 Hendricks Decl. as Exhibit 68 (Dkt. 27-3) is a true and correct copy of Acta 5 [Certificate 5] dated July 24, 1996, by Ecuador's Undersecretary of Environmental Protection, National Director of Environmental Protection, and Ricardo Reis Veiga and Rodrigo Pérez of TexPet, and a certified English translation thereof.

145. Attached to the Feb. 3 Hendricks Decl. as Exhibit 69 (Dkt. 27-4 through 27-8) is a true and correct copy of Acta 6 [Certificate 6] dated November 22, 1996, by Ecuador's Undersecretary of Environmental Protection, and Ricardo Reis Veiga and Rodrigo Pérez of TexPet, and a certified English translation thereof.

146. Attached to the Feb. 3 Hendricks Decl. as Exhibit 70 (Dkt. 27-9 through 27-10) is a true and correct copy of Acta 7 [Certificate 7] dated March 20, 1997, by Ecuador's Undersecretary of Environmental Protection, and Ricardo Reis Veiga and Rodrigo Pérez of TexPet, and a certified English translation thereof.

147. Attached to the Feb. 3 Hendricks Decl. as Exhibit 71 (Dkt. 28-2) is a true and correct copy of Acta 8 [Certificate 8] dated May 14, 1997, by Ecuador's Undersecretary of Environmental Protection, and Ricardo Reis Veiga and Rodrigo Pérez of TexPet, and a certified English translation thereof.

148. Attached to the Feb. 3 Hendricks Decl. as Exhibit 72 (Dkt. 28-3) is a true and correct copy of Acta 9 [Certificate 9] dated October 16, 1997, by Ecuador's Undersecretary of

Environmental Protection, Ricardo Reis Veiga and Rodrigo Pérez of TexPet, and a certified English translation thereof.

149. Attached to the Feb. 3 Hendricks Decl. as Exhibit 73 (Dkt. 28-4) is a true and correct copy of a memorandum dated April 21, 1995 from M. Peñaherrera to Undersecretary of the Environment at 4 (internal ROE counsel acknowledging that the settlement was “legally appropriate and can be legalized by the Minister [of Energy and Mines], after having been legalized by the Executive President of Petroecuador and the legal representatives of Texaco Petroleum Company.”), and certified English translation thereof.

150. Attached to the Feb. 3 Hendricks Decl. as Exhibit 74 (Dkt. 28-5) is a true and correct copy of filing by the Lago Agrio Plaintiffs in the Lago Agrio Litigation dated December 6, 2010, and a certified English translation thereof.

151. Attached hereto as Exhibit BV is a true and correct copy of English and Spanish versions of a letter dated September 18, 1997 from H. Camacho to P. Bijur, then-CEO of Texaco Petroleum Company.

152. Attached hereto as Exhibit DK is a true and correct copy of an email dated August 1, 2008 from D. Beltman to P. Fajardo and S. Donziger with the subject “Plan de Trabajo – TexPet cleanup,” produced by Stratus and bearing the Bates number STRATUS-NATIVE063668.

153. Attached to the Feb. 3 Hendricks Decl. as Exhibit 75 (Dkt. 28-6) is a true and correct copy of a letter dated June 10, 1996 from Ambassador Edgar Terán to Judge Rakoff, re: *Maria Aguinda, et al. v. Texaco Inc.*

2. U.S. Plaintiffs' Lawyers Devise Baseless Litigation Against Chevron in Ecuador

154. Attached to the Feb. 3 Hendricks Decl. as Exhibit 76 (Dkt. 28-7 through 29-3) is a true and correct copy of a collection of pages containing entries from S. Donziger's personal notes. This exhibit comprises selected pages from five different documents containing entries produced by S. Donziger: DONZ00027156 (pp. 1-2 of 111), DONZ00027256 (pp. 1-58 of 109), DONZ00036266, DONZ00036274-82, DONZ00036231-42, DONZ00023089 (pp. 21-22 of 52), DONZ00036243-72, and DONZ00036325. The five produced documents contained significant overlap and duplication, and one document, DONZ00036243-72, included hand-written markings on the face of the document. The collection was compiled by combining pages from the five documents into one comprehensive document containing all of the entries in chronological order and then omitting duplicate entries. No text was altered in the creation of the collection, nor was any text left out, except for pages containing only identical entries, which were removed.

155. Attached to the Feb. 3 Hendricks Decl. as Exhibit 77 (Dkt. 29-4) is a true and correct copy of portions of the transcript of the deposition of Michael Bonfiglio, taken on November 30, 2010 and December 2, 2010, in *In re Application of Chevron*, No. 10 MC 00001 (LAK) (S.D.N.Y.).

156. Attached to the Feb. 3 Hendricks Decl. as Exhibit 78 (Dkt. 29-5) is a true and correct copy of an undated letter from S. Donziger to R. DeLeon, produced by S. Donziger, and bearing the Bates number DONZ00081966.

157. Attached to the Feb. 3 Hendricks Decl. as Exhibit 79 (Dkt. 29-6) is a true and correct copy of an email dated January 2, 2008 from P. Fajardo to A. Ponce, S. Donziger, L. Yanza, and others with the subject, "TAREAS" ["TASKS"], and attached document entitled,

“TAREAS NECESARIAS A DEARROLLAR EN EL AÑO 2008” [“NECESSARY TASKS TO BE COMPLETED IN THE YEAR 2008”], produced by S. Donziger and bearing the Bates numbers DONZ00025653 – 00025654, and a certified English translation thereof.

158. Attached to the Feb. 3 Hendricks Decl. as Exhibit 80 (Dkt. 29-7) is a true and correct copy of an article entitled, “Petroecuador no sera perjudicada” [“Petroecuador will not be damaged”], EL COMMERCE, dated April 22, 1997, and a certified English translation thereof.

159. Attached to the Feb. 3 Hendricks Decl. as Exhibit 81 (Dkt. 29-8) is a true and correct copy of Waiver of Rights, dated November 20, 1996, in *Aguinda v. Texaco*, No. 93-CV-7527 (S.D.N.Y.) (CH-0000233), and a certified English translation thereof.

160. Attached to the Feb. 3 Hendricks Decl. as Exhibit 82 (Dkt. 29-9) is a true and correct copy of an article by Judith Kimerling entitled, “Indigenous Peoples and the Oil Frontier in Amazonia: The Case of Ecuador, ChevronTexaco, and Aguinda v. Texaco,” 38 N.Y.U. JOURNAL OF INTERNATIONAL LAW & POLITICS 413, Spring 2006.

161. Attached to the Feb. 3 Hendricks Decl. as Exhibit 83 (Dkt. 29-10) is a true and correct copy of an article by Gonzalo Solano entitled, “US lawyers take \$1 billion lawsuit against ChevronTexaco to Ecuador,” ASSOCIATED PRESS, dated May 6, 2003.

162. Attached to the Feb. 3 Hendricks Decl. as Exhibit 84 (Dkt. 29-11) is a true and correct copy of the 1999 Environmental Management Act, and a certified English translation thereof.

163. Attached to the Feb. 3 Hendricks Decl. as Exhibit 85 (Dkt. 29-12 through 29-16) is a true and correct copy of the Declaration of Gus. R. Lesnevich dated November 19, 2010.

164. Attached to the Feb. 3 Hendricks Decl. as Exhibit 86 (Dkt. 29-17) is a true and correct copy of the English translation of the complaint in the Lago Agrio Litigation, *Maria Aguinda Salazar, et al. v. Chevron Corp.*, filed on May 7, 2003.

165. Attached to the Feb. 3 Hendricks Decl. as Exhibit 87 (Dkt. 29-18) is a true and correct copy of a certified English translation of a transcript of Prosecutor Washington Pesántez's press conference on September 4, 2009.

166. Filed concurrently with the Feb. 3 Hendricks Decl. as Exhibit 5 (Dkt. 8-8) is a DVD with a true and correct copy of three audio files from Prosecutor Washington Pesántez's press conference on September 4, 2009.

167. Attached to the Feb. 3 Hendricks Decl. as Exhibit 88 (Dkt. 29-19) is a true and correct copy of an email dated October 12, 2010 among N. Purrington, E. Beime and others with the subject, "Ecuador – Security," produced by S. Donziger and bearing the Bates number DONZ000106262.

168. Attached hereto as Exhibit B is a true and correct copy of a document entitled "Funding Agreement," entered into by Treca Financial Solutions (as the Funder) and Claimants, bearing the Bates number DONZS00015670, along with two pages reflecting the document's associated metadata.

169. Attached to the Feb. 3 Hendricks Decl. as Exhibit 89 (Dkt. 29-20) is a true and correct copy of an email dated September 9, 2008 from S. Donziger to L. Yanza with the subject, "pregunta importante/CONFIANZA" ["important question/CONFIDENTIAL"], produced by S. Donziger and bearing the Bates number DONZ0030370, and a certified English translation thereof.

170. Attached hereto as Exhibit C is a true and correct copy of a February 24, 2011 letter from R. Mastro to the Honorable Lewis A. Kaplan, enclosing a certified English translation of the judgment issued on February 14, 2011 by the Lago Agrio Court.

171. Attached to the Feb. 3 Hendricks Decl. as Exhibit 90 (Dkt. 29-21) is a true and correct copy of an email dated July 12, 2009 from S. Donziger, J. Prieto, P. Fajardo, L. Yanza and others with the subject in the last email, "highly confidential," produced by S. Donziger and bearing the Bates number DONZ00066538, and a certified English translation thereof.

B. The Conspirators Are Corrupting the Judicial Process to Extort a Payment From Chevron

172. Attached hereto as Exhibit D is a true and correct copy of portions of the transcript of the deposition of Steven Donziger, taken on December 8, 2010, December 13, 2010, December 23, 2010, December 29, 2010, January 8, 2011, January 18, 2011, January 19, 2011, January 29, 2011, and March 23, 2011 in *In re Application of Chevron*, No. 10 MC 00002 (LAK) (S.D.N.Y.).

173. Attached to the Feb. 3 Hendricks Decl. as Exhibit 91 (Dkt. 30-2) is a true and correct copy of a transcript of the theatrical version of *Crude*, produced by M. Bonfiglio and bearing the Bates numbers MB-NonWaiver00092726 – 00092787.

174. Filed concurrently with the Feb. 3 Hendricks Decl. as Exhibit 4 (Dkt. 8-7) is a true and correct copy of the released version of the *Crude* film on DVD.

175. Attached to the Feb. 3 Hendricks Decl. as Exhibit 92 (Dkt. 30-3) is a true and correct copy of a press release issued by Amazon Watch / Frente de Defensa de la Amazonia entitled, "Ecuador Rising-Hatarinchej: Chevron's Recent Setbacks in U.S. Courts Forced Its Hand on Arbitration Claim, Lawyers Say," dated September 29, 2009, *available at* <http://ecuador-rising.blogspot.com/2009/09/chevrans-recent-setbacks-in-us-courts.html>.

176. Attached to the Feb. 3 Hendricks Decl. as Exhibit 93 (Dkt. 30-4) is a true and correct copy of a certified transcription of a portion of a speech given by S. Donziger on November 15, 2010.

177. Filed concurrently with the Feb. 3 Hendricks Decl. as Exhibit 5 (Dkt. 8-8) is a DVD with a true and correct copy of an audio file of a speech given by S. Donziger on November 15, 2010.

178. Attached to the Feb. 3 Hendricks Decl. as Exhibit 94 (Dkt. 30-5) is a true and correct copy of the Lago Agrio Plaintiffs' Complaint to Stay Arbitration, filed on January 14, 2010 in *Yaiguaje, et al. v. Chevron Corp. & Texaco Petroleum Co.*, No. 10 CV 0316 (LBS) (S.D.N.Y.).

179. Attached to the Feb. 3 Hendricks Decl. as Exhibit 95 (Dkt. 30-6) is a true and correct copy of a transcription of a Radio Quito interview with P. Fajardo on September 4, 2009, and a certified English translation thereof.

180. Filed concurrently with the Feb. 3 Hendricks Decl. as Exhibit 5 (Dkt. 8-8) is a DVD with a true and correct copy of an audio file of the Radio Quito interview with P. Fajardo on September 4, 2009.

1. Pressuring the Lago Agrio Court and Manufacturing Evidence

a. Implementing Pressure Tactics and Colluding With Ecuadorian Government Officials

181. Attached to the Feb. 3 Hendricks Decl. as Exhibit 96 (Dkt. 30-7) is a true and correct copy of an email dated from June 14, 2006 from S. Donziger to A. Villacis with the subject, "Need plan," produced by S. Donziger and bearing the Bates number DONZ00086533.

182. Attached to the Feb. 3 Hendricks Decl. as Exhibit 97 (Dkt. 30-8) is a true and correct copy of a document entitled "Plan De Acciones 2009-01-05, Selva Viva" ["Action Plan

5/1/2009 Selva Viva”], produced by S. Donziger and bearing the Bates numbers DONZ00036220 – 00036222, and a certified English translation thereof.

183. Attached hereto as Exhibit BW is a true and correct copy of a memorandum dated December 17, 2003 from S. Donziger to J. Kohn, with the subject “Ecuador trip/General Update,” produced by S. Donziger and bearing the Bates number DONZ00084015.

184. Attached to the Feb. 3 Hendricks Decl. as Exhibit 98 (Dkt. 30-9) is a true and correct copy of an article dated December 2, 2010 entitled “FACTBOX – Key political risks to watch in Ecuador.” REUTERS.

185. Attached to the Feb. 3 Hendricks Decl. as Exhibit 99 (Dkt. 30-10) is a true and correct copy of an email chain dated June 28, 2007 among M. Bonfiglio, J. Berlinger, and S. Donziger with the subject, “update,” produced by J. Berlinger and bearing the Bates numbers JB-NonWaiver00061808 – 00061809.

186. Attached to the Feb. 3 Hendricks Decl. as Exhibit 100 (Dkt. 30-11) is a true and correct copy of an email chain dated February 9, 2006 among S. Donziger, A. Ponce, and others with the subject, “idea,” produced by S. Donziger and bearing the Bates number DONZ00040410, and certified English translation thereof.

187. Attached to the Feb. 3 Hendricks Decl. as Exhibit 101 (Dkt. 30-12) is a true and correct copy of an email from S. Donziger to A. Marr, dated September 5, 2006 with the subject, “one other thing,” produced by S. Donziger and bearing the Bates number DONZ00106774.

188. Attached to the Feb. 3 Hendricks Decl. as Exhibit 102 (Dkt. 30-13) is a true and correct copy of an email chain dated October 12, 2006 among S. Donziger, L. Yanza, J. Prieto, P. Fajardo, and others with the subject, “winston’s money,” produced by S. Donziger and bearing the Bates number DONZ00023523, and a certified English translation thereof.

189. Attached to the Feb. 3 Hendricks Decl. as Exhibit 103 (Dkt. 30-14) is a true and correct copy of an email chain between J. Mutti, S. Donziger, and others, re: “Temas” [“Topics”] and dated August 18, 2006 and bearing the Bates number DONZ00041387, and a certified English translation thereof.

190. Attached to the Feb. 3 Hendricks Decl. as Exhibit 104 (Dkt. 30-15) is a true and correct copy of a document dated February 20, 2006 entitled “Strategy Plan,” produced by S. Donziger and bearing the Bates number DONZ00084801.

191. Attached hereto as Exhibit E is a true and correct copy of an article dated May 21, 2009, entitled “Ecuador, Chevron and pollution: Justice or extortion?” THE ECONOMIST.

192. Attached to the Feb. 3 Hendricks Decl. as Exhibit 105 (Dkt. 30-16) is a true and correct copy of the transcript of a hearing held on April 19, 2007 in *Republic of Ecuador v. ChevronTexaco*, No. 04 CV 8378 (LBS) (S.D.N.Y.).

193. Attached to the Feb. 3 Hendricks Decl. as Exhibit 106 (Dkt. 30-17) is a true and correct copy of the Republic of Ecuador’s Memorandum of Law in Partial Opposition to Applications for an Order Pursuant to 28 U.S.C. § 1782 to Conduct Discovery for Use in Foreign Proceedings Filed by Chevron Corporation and Rodrigo Perez Pallares and Ricardo Reis Veiga, filed on December 1, 2010 in *In re Application of Chevron Corp.*, Nos. 10-mc-00208, 10-mc-00209 (JD) (E.D. Pa.).

194. Attached to the Feb. 3 Hendricks Decl. as Exhibit 107 (Dkt. 30-18) is a true and correct copy of an email chain dated October 31, 2007 between R. Herrera and S. Donziger with the subject, “WSJ idea,” produced by S. Donziger and bearing the Bates number DONZ00021209.

195. Attached to the Feb. 3 Hendricks Decl. as Exhibit 108 (Dkt. 30-19) is a true and correct copy of an email chain dated October 31, 2007 between R. Herrera and S. Donziger with the subject, “try this,” produced by S. Donziger and bearing the Bates number DONZ00021212.

196. Attached to the Feb. 3 Hendricks Decl. as Exhibit 109 (Dkt. 30-20) is a true and correct copy of an email dated November 1, 2007 from R. Herrera to S. Donziger with the subject, “carta,” and attachment entitled, “CARTA EDITOR WALL STREET JOURNAL.doc,” produced by S. Donziger and bearing the Bates numbers DONZ00021214 – 00021215.

197. Attached hereto as Exhibit BX is a true and correct copy of an email dated August 25, 2006 from S. Donziger to R. Herrera, C. Mitchell, and E. Bloom with the subject “quick thought,” produced by S. Donziger and bearing the Bates number DONZ00129953.

198. Attached to the Feb. 3 Hendricks Decl. as Exhibit 110 (Dkt. 30-21) is a true and correct copy of an email chain dated September 30, 2009 between S. Donziger and D. Beltman with the subject, “can u be available tomorrow afternoon for a phone call?,” produced by Stratus and bearing the Bates number STRATUS-NATIVE 050326.

199. Attached hereto as Exhibit BY is a true and correct copy of an email dated September 25, 2006 from J. Kohn to S. Donziger with the subject “RE: in quito for two days,” recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0085706.

200. Attached to the Feb. 3 Hendricks Decl. as Exhibit 111 (Dkt. 30-22) is a true and correct copy of an email chain dated September 2, 2009 between J. Sáenz to S. Donziger with the subject, “Chevron Charged With Dirty Tricks in Ecuador,” produced by S. Donziger and bearing the Bates number DONZ00052196.

201. Attached to the Feb. 3 Hendricks Decl. as Exhibit 112 (Dkt. 30-23 through 30-24) is a true and correct copy of an email chain dated June 22, 2009 between S. Donziger, J. Saenz,

P. Fajardo, and L. Yanza with the subject, “PREOCUPANTE” [“WORRISOME”], and bearing the Bates number DONZ00066371, and certified English translation thereof.

202. Attached to the Feb. 3 Hendricks Decl. as Exhibit 113 (Dkt. 30-25) is a true and correct copy of an article by Isabel Ordonez entitled, “Amazon Oil Row: US-Ecuador Ties Influence Chevron Amazon Dispute,” DOW JONES NEWSWIRES, dated August 7, 2008.

203. Attached to the Feb. 3 Hendricks Decl. as Exhibit 114 (Dkt. 30-26) is a true and correct copy of a transcript of a June 4, 2010 interview with Attorney General Diego Garcia entitled “The Ecuadorian Government is Not Responsible for the Environmental Damage Caused by Chevron.”

204. Attached to the February 15, 2011 Second Supplemental Declaration of Kristen L. Hendricks in Support of Chevron Corporation’s Motion for Preliminary Injunction as Exhibit 114 (Dkt. 104-1) is a true and correct copy of a certified translation of the June 4, 2010 interview with Attorney General Diego Garcia.

205. Attached to the Feb. 3 Hendricks Decl. as Exhibit 115 (Dkt. 30-27) is a true and correct copy of an article entitled, “Defensor del Pueblo pide prioridad al caso Texaco” [“Ombudsman Requests Priority for Texaco Case”], HOY, dated September 15, 2009, and a certified English translation thereof.

206. Attached to the Feb. 3 Hendricks Decl. as Exhibit 116 (Dkt. 30-28) is a true and correct copy of an article by Cristhian Reyes H. entitled, “Defensor del Pueblo dice que caso Chevron ya se debería sentenciar” [“Ombudsman says that decision in Chevron case should already have been decided”], EFE, dated September 10, 2009, and a certified English translation thereof.

b. Taking Advantage of a Weakened and Increasingly Corrupt Ecuadorian Judiciary

207. Attached to the Feb. 3 Hendricks Decl. as Exhibit 117 (Dkt. 30-29) is a true and correct copy of the 2009 World Bank Worldwide Governance Indicators for Ecuador, Liberia, and North Korea, *available at* <http://info.worldbank.org/governance/wgi/index.asp>.

208. Attached to the Feb. 3 Hendricks Decl. as Exhibit 118 (Dkt. 30-30) is a true and correct copy of the U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, Country Reports on Human Rights Practices – Ecuador for 2007, 2008, and 2009, *available at* <http://www.state.gov/g/drl/rls/hrrpt/2007/100638.htm>,
<http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119158.htm>,
<http://www.state.gov/g/drl/rls/hrrpt/2009/wha/136111.htm>.

209. Attached to the Feb. 3 Hendricks Decl. as Exhibit 119 (Dkt. 30-31) is a true and correct copy of a press release issued by the United Nations Special Rapporteur entitled, “UN independent expert finds ‘astonishingly high rates of impunity for killings in Ecuador,’” dated July 15, 2010, *available at* <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=10213&LangID=E>.

210. Attached hereto as Exhibit EK is a true and correct copy of an Official Circular dated November 18, 2010 by Dr. Alexis Mera Giler, Legal Counsel to the Office of the President of the Republic of Ecuador, and a certified English translation thereof.

211. Attached hereto as Exhibit F is a true and correct copy of an article dated March 5, 2009 by Joffre Campaña Mora, entitled, *Injerencia en la administración de justicia* [*Interference in the Administration of Justice*], EL UNIVERSO, and a certified English translation thereof.

212. Attached hereto as Exhibit G is a true and correct copy of an article dated April 28, 2009 by Juan Forero, entitled, *In Ecuador, High Stakes in Case Against Chevron*. WASHINGTON POST.

213. Attached hereto as Exhibit BZ is a true and correct copy of an article dated August 31, 2009 by Simon Romero and Clifford Krauss entitled, *Chevron Offers Evidence of Bribery Scheme in Ecuador Lawsuit*. NEW YORK TIMES.

214. Attached hereto as Exhibit H is a true and correct copy of an order entered by Judge Núñez recusing himself from the case, submitted to the Lago Agrio Court on September 3, 2009, and a certified English translation thereof.

215. Attached hereto as Exhibit I is a true and correct copy of an order dated November 30, 2009, issued by Judge Zambrano, denying Chevron's appeal to nullify Judge Núñez's rulings in the case, and a certified English translation thereof.

c. Manipulating and Falsifying Their Own Experts' Findings to Corrupt the Judicial Inspection Process

216. Attached to the Feb. 3 Hendricks Decl. as Exhibit 120 (Dkt. 30-32) is a true and correct copy of an Order dated October 29, 2003 issued in the Lago Agrio Litigation, regarding the appointment of expert witnesses, and a certified English translation thereof.

217. Attached to the Feb. 3 Hendricks Decl. as Exhibit 121 (Dkt. 31-2 through 31-5) is a true and correct copy of a transcription of the August 7, 2004 Summary Oral Hearing No. 002-2003 in the Lago Agrio Litigation, regarding the Procedural Agreement for experts, including Terms of Reference, Sampling Plan, and Analysis terms of reference regarding experts, Plan, and a certified English translation thereof.

218. Attached to the Feb. 3 Hendricks Decl. as Exhibit 122 (Dkt. 31-6) is a true and correct copy of Ecuadorian Code of Civil Procedure, Art. 259, and certified English translation thereof.

219. Attached to the Feb. 3 Hendricks Decl. as Exhibit 122A (Dkt. 31-7) is a true and correct copy of an Order dated August 26, 2004 issued in the Lago Agrio Litigation, adopting Procedural Agreement for experts, and a certified English translation thereof.

220. Attached to the Feb. 3 Hendricks Decl. as Exhibit 123 (Dkt. 31-8) is a true and correct copy of an email dated September 9, 2004 from S. Donziger to himself with the subject, “memo,” attaching a memorandum from S. Donziger to Ecuador v. Texaco Case Team, produced by S. Donziger and bearing the Bates numbers DONZ00022694 – 00022695.

221. Attached hereto as Exhibit CA is a true and correct copy of an email dated January 1, 2005 from M. Pareja to S. Donziger without a subject, recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0052901.

222. Attached to the Feb. 3 Hendricks Decl. as Exhibit 124 (Dkt. 31-9) is a true and correct copy of a filing by R. Cabrera in the Lago Agrio Litigation dated July 12, 2007, requesting that Petroecuador suspend remediation of former oil production sites subject to judicial inspection, and a certified English translation thereof.

223. Attached to the Feb. 3 Hendricks Decl. as Exhibit 125 (Dkt. 31-10) is a true and correct copy of a filing by P. Fajardo in the Lago Agrio Litigation on October 29, 2007, endorsing R. Cabrera’s request that Petroecuador’s remediation efforts be suspended, and a certified English translation thereof.

224. Attached to the Feb. 3 Hendricks Decl. as Exhibit 126 (Dkt. 31-11) is a true and correct copy of an email dated December 21, 2006 from S. Donziger to P. Fajardo, L. Yanza, J.

Prieto, and J. Saenz with the subject, “CONSULTA URGENTE” [“URGENT PROPOSAL”], produced by S. Donziger and bearing the Bates number DONZ00020233, and a certified English translation thereof.

225. Attached to the Feb. 3 Hendricks Decl. as Exhibit 127 (Dkt. 31-12) is a true and correct copy of the Report of the “Settling Experts” on the Judicial Inspection of the Sacha 53 Well in the Lago Agrio Litigation, dated February 1, 2006, and a certified English translation thereof.

226. Attached to the Feb. 3 Hendricks Decl. as Exhibit 128 (Dkt. 31-13) is a true and correct copy of an email dated December 22, 2006 from L. Lopez to S. Donziger with the subject, “Makarik Nihua/Judith’s concerns...”

227. Attached to the Feb. 3 Hendricks Decl. as Exhibit 129 (Dkt. 31-14) is a true and correct copy of a letter dated February 14, 2006 from David Russell, an expert retained by Defendants, to S. Donziger with the subject, “Cease and Desist,” produced by William Powers and bearing the Bates number POWERS-NATIVE09594.

228. Attached to the Feb. 3 Hendricks Decl. as Exhibit 130 (Dkt. 31-15) is a true and correct copy of an email chain December 12, 2004 from D. Russell to S. Donziger, C. Bonifaz, A. Wray, and others with the subject, “I disagree!,” produced by S. Donziger and bearing the Bates numbers DONZ00036208 – 00036215.

229. Attached hereto as Exhibit DL is a true and correct copy of a memorandum dated May 15, 2004 from D. Russell to Lawyers on the Ecuador Case with the subject “Ecuador – next steps & Costs,” produced by S. Donziger and bearing the Bates number DONZ00084048.

230. Attached to the Feb. 3 Hendricks Decl. as Exhibit 131 (Dkt. 31-16) is a true and correct copy of a memorandum dated December 27, 2004 from D. Russell to S. Donziger, with

the subject “Mid Course Corrections and the Scope of the Global Inspection,” produced by S. Donziger and bearing the Bates number DONZ00038519.

231. Attached to the Feb. 3 Hendricks Decl. as Exhibit 132 (Dkt. 31-17) is a true and correct copy of an email chain dated February 11, 2005 among S. Donziger, D. Russell, and Edison Camino with the subject, “Needed: A different analysis,” produced by S. Donziger and bearing the Bates number DONZ00038567.

232. Attached to the Feb. 3 Hendricks Decl. as Exhibit 133 (Dkt. 31-18) is a true and correct copy of an email dated January 9, 2007 from C. Champ to S. Donziger with the subject, “epiphany,” produced by S. Donziger and bearing the Bates number DONZ00048774.

233. Attached hereto as Exhibit CB is a true and correct copy of an email dated November 10, 2009 from A. Woods to S. Donziger with the subject “letter to luis and pablo,” recovered from S. Donziger’s hard drives and bearing the Bates number WOODS-HDD-0223243.

234. Attached to the Feb. 3 Hendricks Decl. as Exhibit 134 (Dkt. 31-19) is a true and correct copy of an email chain dated February 14, 2006 among S. Donziger, W. Powers, A. Maest, and R. Kamp with the subject, “Russell backing off cost estimate – important,” produced by S. Donziger and bearing the Bates numbers DONZ00038651 – 00038652.

235. Attached to the Feb. 3 Hendricks Decl. as Exhibit 135 (Dkt. 31-20) is a true and correct copy of a press release issued by Amazon Watch entitled, “Ecuador Court Speeds up Chevron’s \$6 Billion Amazon Trial Over Rainforest Contamination,” dated March 20, 2007, *available at* <http://chevrontoxico.com/news-and-multimedia/2007/0320-ecuador-court-speeds-up-chevrons-6-billion-amazon-trial.html>.

236. Attached to the Feb. 3 Hendricks Decl. as Exhibit 136 (Dkt. 31-21) is a true and correct copy of portions of the transcript of the deposition of Charles W. Calmbacher, taken on March 29, 2010 in *In re Application of Chevron Corp.*, 1:10-MI-0076-TWT-GGB (N.D. Ga.).

237. Attached hereto as Exhibit DM is a true and correct copy of an email dated October 2, 2006 from J. Prieto to A. Page, A. Ponce, L. Schrero, S. Donziger, and P. Fajardo with the subject "RE: regarding settling experts – FOLLOW-UP IDEAS / OUTLINE," produced by S. Donziger and bearing the Bates number DONZ00041662, and a certified English translation thereof.

238. Attached to the Feb. 3 Hendricks Decl. as Exhibit 137 (Dkt. 31-22) is a true and correct copy of an email chain dated August 14, 2007 among S. Donziger, J. Kohn, Karen Wilson of Kohn Swift, and others with the subject "Critical money transfer," produced by S. Donziger and bearing the Bates number DONZ00024887.

239. Attached hereto as Exhibit CC is a true and correct copy of an email dated June 14, 2005 from C. Kusner to S. Donziger with the subject "RE: new bank wire information for Ecuador," recovered from S. Donziger's hard drives and bearing the Bates number DONZ-HDD-0069892.

240. Attached to the Feb. 3 Hendricks Decl. as Exhibit 138 (Dkt. 31-23) is a true and correct copy of an email chain dated July 25, 2005 among S. Donziger, P. Fajardo, A. Ponce, and others with the subject, "importante -- Chuck Calmbacher," produced by S. Donziger and bearing the Bates number DONZ00027787, and a certified English translation thereof.

241. Attached to the Feb. 3 Hendricks Decl. as Exhibit 139 (Dkt. 31-24) is a true and correct copy of an email dated October 26, 2004 from C. Calmbacher to D. Russell and S.

Donziger with the subject, “Apologies,” produced by S. Donziger and bearing the Bates number DONZ00022792.

242. Attached to the Feb. 3 Hendricks Decl. as Exhibit 140 (Dkt. 31-25) is a true and correct copy of an email dated October 20, 2004 from S. Donziger to A. Wray with the subject, “Latest Information,” produced by S. Donziger and bearing the Bates number DONZ00027447.

243. Attached to the Feb. 3 Hendricks Decl. as Exhibit 141 (Dkt. 31-26) is a true and correct copy of an email dated October 24, 2004 from C. Calmbacher to D. Russell and S. Donziger with the subject, “Perito’s Responsibilities,” produced by S. Donziger and bearing the Bates number DONZ00022790.

244. Attached to the Feb. 3 Hendricks Decl. as Exhibit 142 (Dkt. 31-27) is a true and correct copy of an email dated October 25, 2004 from S. Donziger to M. Pallares, A. Wray, J. Kohn, C. Bonifaz, and J. Bonifaz with the subject, “Update on Case From Ecuador,” produced by S. Donziger and bearing the Bates number DONZ00027304.

245. Attached to the Feb. 3 Hendricks Decl. as Exhibit 143 (Dkt. 31-28) is a true and correct copy of Chevron’s motion for terminating sanctions filed in the Lago Agrio Litigation on August 6, 2010, and a certified English translation thereof.

d. Arranging Cabrera’s Appointment as Global Assessment Expert and Secretly Writing His Supposedly “Independent” Report

246. Attached to the Feb. 3 Hendricks Decl. as Exhibit 144 (Dkt. 31-29) is a true and correct copy of a filing by P. Fajardo in the Lago Agrio Litigation on January 27, 2006, moving to withdraw from requested judicial inspections at specified sites, and a certified English translation thereof.

247. Attached to the Feb. 3 Hendricks Decl. as Exhibit 145 (Dkt. 31-30) is a true and correct copy of a filing by P. Fajardo in the Lago Agrio Litigation on July 21, 2006, moving to relinquish judicial inspections, dated July 21, 2006, and a certified English translation thereof.

248. Attached to the Feb. 3 Hendricks Decl. as Exhibit 146 (Dkt. 31-31) is a true and correct copy of a filing by P. Fajardo in the Lago Agrio Litigation on December 4, 2006, requesting the court to order the performance of an expert assessment, and a certified English translation thereof.

249. Attached to the Feb. 3 Hendricks Decl. as Exhibit 147 (Dkt. 32-2) is a true and correct copy of an email chain dated March 11, 2008 between D. Beltman and S. Donziger with the subject, “one other thing,” and attachment entitled, “DRAFT – Outline for PG Report,” produced by Stratus and bearing the Bates numbers STRATUS-NATIVE067410 – 067418.

250. Attached to the Feb. 3 Hendricks Decl. as Exhibit 148 (Dkt. 32-3) is a true and correct copy of an email dated May 7, 2008 from J. Berlinger to M. Bonfiglio with the subject, “Ask Pablo,” produced by J. Berlinger and bearing the Bates number JB-NONWAIVER00092520.

251. Attached to the Feb. 3 Hendricks Decl. as Exhibit 149 (Dkt. 32-4) is a true and correct copy of an email chain dated July 26, 2006 among Joseph Mutti, S. Donziger, and J. Kohn with the subject, “Potentially huge,” and attached draft letter from L. Yanza and A. Ponce to Attorney General Alberto Gonzales, Director of the Criminal Division, U.S. Department of Justice Alice Fisher, and Director of the Division of Enforcement, U.S. Securities & Exchange Commission Linda Chatman Thomsen, produced by S. Donziger and bearing the Bates numbers DONZ00023182 – 00023183.

252. Attached to the Feb. 3 Hendricks Decl. as Exhibit 150 (Dkt. 32-5) is a true and correct copy of an Order dated March 19, 2007 issued in the Lago Agrio Litigation, appointing R. Cabrera as global assessment expert, and a certified English translation thereof.

253. Attached to the Feb. 3 Hendricks Decl. as Exhibit 151 (Dkt. 32-6) is a true and correct copy of an Order dated October 3, 2007 issued in the Lago Agrio Litigation, detailing Cabrera's duties and obligations, and a certified English translation thereof.

254. Attached to the Feb. 3 Hendricks Decl. as Exhibit 152 (Dkt. 32-7) is a true and correct copy of an email chain dated May 10, 2007 between S. Donziger and P. Fajardo with the subject, "PREOCUPACION CONFIDENCIAL" ["CONCERN CONFIDENTIAL"], produced by S. Donziger and bearing the Bates number DONZ00108564, and certified English translation thereof.

255. Attached to the Feb. 3 Hendricks Decl. as Exhibit 153 (Dkt. 32-8) is a true and correct copy of an email chain dated June 13, 2007 among M. Bonfiglio, J. Berlinger, and S. Donziger with the subject, "emergency," produced by Berlinger and bearing the Bates number JB-NonWaiver00062204.

256. Attached hereto as Exhibit J is a true and correct copy of an email dated June 13, 2007 from S. Donziger to A. Soltani, S. Tegel, K. Koenig, and J. DeLury Ciplest with the subject, "HUGE VICTORY," recovered from S. Donziger's hard drives and bearing the Bates number DONZ-HDD-0113389.

257. Attached to the Feb. 3 Hendricks Decl. as Exhibit 154 (Dkt. 32-9 through 32-10) is a true and correct copy of the Certificate of Swearing-In of Expert R. Cabrera on June 13, 2007, and a certified English translation thereof.

258. Attached to the Feb. 3 Hendricks Decl. as Exhibit 155 (Dkt. 32-11) is a true and correct copy of an Order dated November 29, 2007 in the Lago Agrio Litigation, regarding supporting documents to Cabrera's report, and a certified English translation thereof.

259. Attached to the Feb. 3 Hendricks Decl. as Exhibit 156 (Dkt. 32-12) is a true and correct copy of an email dated July 17, 2007 from S. Donziger to L. Yanza and P. Fajardo with the subject, "Ideas para reunion con Richard" ["Ideas for meeting with Richard]," produced by S. Donziger and bearing the Bates number DONZ00062680, and certified English translation thereof.

260. Attached to the Feb. 3 Hendricks Decl. as Exhibit 157 (Dkt. 32-13) is a true and correct copy of an email dated April 3, 2007 from S. Donziger to D. Chapman, A. Maest, and D. Mills with the subject, "Approach for assessment," produced by S. Donziger and bearing the Bates number DONZ00061973, and certified English translation thereof.

261. Attached to the Feb. 3 Hendricks Decl. as Exhibit 158 (Dkt. 32-14) is a true and correct copy of portions of the transcript of the deposition of David Chapman, taken on April 23, 2010, in *Chevron Corp. v. Stratus Consulting, Inc.*, No. 1:10-cv-00047-MSK-MEH (D. Colo.).

262. Attached to the Feb. 3 Hendricks Decl. as Exhibit 159 (Dkt. 32-15) is a true and correct copy of notes from "Ecuador Meeting in Boulder," dated June 4 and 5, 2008, produced by Stratus and bearing the Bates numbers STRATUS-NATIVE096796 – 096800.

263. Attached to the Feb. 3 Hendricks Decl. as Exhibit 160 (Dkt. 32-16) is a true and correct copy of the Contract Agreement dated August 20, 2007 between Kohn, Swift & Graf and Stratus Consulting, Inc., produced by Stratus and bearing the Bates numbers STRATUS-NATIVE043270 – 043278.

264. Attached to the Feb. 3 Hendricks Decl. as Exhibit 161 (Dkt. 32-17) is a true and correct copy of an email chain dated June 29, 2008 – July 7, 2008 among J. Kohn, D. Beltman, S. Donziger, and others with the subject, “approval for upcoming work,” produced by Stratus and bearing the Bates numbers STRATUS-NATIVE066482 – 066484.

265. Attached to the Feb. 3 Hendricks Decl. as Exhibit 162 (Dkt. 32-18) is a true and correct copy of a letter dated August 9, 2010 from J. Kohn to P. Fajardo, L. Yanza, and others; a letter dated November 10, 2009 from J. Kohn to L. Yanza and P. Fajardo with the subject, “Ecuador-Texaco Case”; and a letter dated November 19, 2009 from J. Kohn to L. Yanza and P. Fajardo with the subject, “Ecuador-Texaco Case,” and an attachment entitled “Payments to Selva Viva CIA Ltda. In Re Texaco/Chevron Years 2007 – 2008 - 2009,” produced by S. Donziger and bearing the Bates number DONZ00026949.

266. Attached hereto as Exhibit K is a true and correct copy of an email dated October 23, 2007 from D. Beltman to S. Donziger with the subject, “RE: update – let’s talk again,” produced by S. Donziger and bearing the Bates number DONZ00025289.

267. Attached to the Feb. 3 Hendricks Decl. as Exhibit 163 (Dkt. 32-19) is a true and correct copy of an email dated February 8, 2008 from D. Beltman to S. Donziger, and copying P. Fajardo, A. Maest, and others at Stratus, and attachment entitled, “DRAFT – Outline for PG Report,” produced by Stratus with the Bates numbers STRATUS-NATIVE070483 – 070487.

268. Attached to the Feb. 3 Hendricks Decl. as Exhibit 164 (Dkt. 32-20) is a true and correct copy of an email dated February 26, 2008 from D. Beltman to A. Maest and others at Stratus with the subject, “Ecuador annex schedule,” and attachment entitled, “DRAFT – Outline for PG Report,” produced by Stratus and bearing Bates numbers STRATUS-NATIVE043849 – 043859.

269. Attached to the Feb. 3 Hendricks Decl. as Exhibit 165 (Dkt. 32-21) is a true and correct copy of an email dated March 10, 2008 from D. Beltman to A. Maest and others at Stratus with the subject, "Annex translation update," produced by Stratus and bearing the Bates number STRATUS-NATIVE040664.

270. Attached to the Feb. 3 Hendricks Decl. as Exhibit 166 (Dkt. 32-22) is a true and correct copy of an email chain dated November 17, 2007 among S. Donziger, D. Beltman, J. Kohn, and A. Maest with the subject, "Unjust Enrichment," produced by S. Donziger and bearing the Bates number DONZ00025512.

271. Attached to the Feb. 3 Hendricks Decl. as Exhibit 167 (Dkt. 32-23) is a true and correct copy of an email chain dated September 19, 2007 among S. Donziger, D. Beltman, A. Maest, and others with the subject, "Important idea," produced by S. Donziger and bearing the Bates number DONZ00025160.

272. Attached to the Feb. 3 Hendricks Decl. as Exhibit 168 (Dkt. 33-2) is a true and correct copy of an email dated February 22, 2008 from D. Beltman to "Science Group" at Stratus, D. Chapman, and others at Stratus with the subject, "CONFIDENTIAL -- Ecuador Project Update," produced by Stratus and bearing the Bates numbers STRATUS-NATIVE043232 – 043233.

273. Attached hereto as Exhibit L is a true and correct copy of an email dated August 5, 2008 from J. Kohn to D. Beltman and S. Donziger with the subject, "RE: CONFIDENTIAL – CLEANUP COMPLETENESS VS. COSTS," produced by S. Donziger and bearing the Bates number DONZ00026662.

274. Attached to the Feb. 3 Hendricks Decl. as Exhibit 169 (Dkt. 33-3) is a true and correct copy of an email chain dated March 11, 2008 among A. Maest, D. Beltman, and J. Peers

with the subject, "Report help," produced by Stratus and bearing the Bates number STRATUS-NATIVE053742.

275. Attached to the Feb. 3 Hendricks Decl. as Exhibit 170 (Dkt. 33-4) is a true and correct copy of an email chain dated February 27, 2008 between S. Donziger and D. Beltman with the subject, "Start on report text; human text annex," produced by S. Donziger and bearing the Bates number DONZ00025833.

276. Attached to the Feb. 3 Hendricks Decl. as Exhibit 171 (Dkt. 33-5) is a true and correct copy of portions of the transcript of the deposition of William Powers, taken on September 10, 2010, in *In re Application of Chevron Corp.*, No. 10-cv-01146-IEG (WMC) (S.D. Cal.).

277. Attached to the Feb. 3 Hendricks Decl. as Exhibit 172 (Dkt. 33-6) is a true and correct copy of portions of the transcript of the deposition of Randy Horsak, taken on October 27, 2010, in *In re Application of Chevron Corp.*, No. 4:10-mc-134 (S.D. Tex.).

278. Attached to the Feb. 3 Hendricks Decl. as Exhibit 173 (Dkt. 33-7) is a true and correct copy of an email chain dated March 6, 2008 between D. Beltman and S. Donziger with the subject, "we have spanish translation of Uhl report already," produced by Stratus and bearing the Bates number STRATUS-NATIVE069116 – 069117.

279. Attached to the Feb. 3 Hendricks Decl. as Exhibit 174 (Dkt. 33-8) is a true and correct copy of an email chain dated May 14, 2008 between S. Donziger and D. Beltman with the subject, "Urgent issue," produced by Stratus and bearing the Bates number STRATUS-NATIVE068772.

280. Attached hereto as Exhibit M is a true and correct copy of portions of the transcript of the deposition of Laura Belanger, taken on November 30, 2010 in *Chevron Corp. v. Stratus Consulting, Inc.*, No. 1:10-cv-00047-MSK-MEH (D. Colo.).

281. Attached to the Feb. 3 Hendricks Decl. as Exhibit 175 (Dkt. 33-9) is a true and correct copy of an email dated July 28, 2008 from D. Beltman to B. Lazar at Stratus, copying others at Stratus, with the subject, “english translations,” produced by Stratus and bearing the Bates number STRATUS-NATIVE044716.

282. Attached to the Feb. 3 Hendricks Decl. as Exhibit 176 (Dkt. 33-10) is a true and correct copy of an email dated March 12, 2008 from D. Beltman to info@translatingspanish.com, copying A. Maest, with the subject, “Big Report,” and attachment entitled, “PERITAJE GLOBAL SUMMARY REPORT,” produced by Stratus and bearing the Bates numbers STRATUS-NATIVE058388 – 058419.

283. Attached to the Feb. 3 Hendricks Decl. as Exhibit 177 (Dkt. 33-11) is a true and correct copy of an email dated March 13, 2008 from Yves Lang to D. Beltman with the subject, “Confidentiality agreements,” produced by Stratus and bearing the Bates numbers STRATUS-NATIVE065206 – 65207.

284. Attached to the Feb. 3 Hendricks Decl. as Exhibit 178 (Dkt. 33-12 through 34-3) is a true and correct copy of the Summary Report of Expert Examination by Richard Stalin Cabrera Vega dated March 24, 2008, filed by R. Cabrera in the Lago Agrio Litigation on April 1, 2008, and a certified English translation thereof.

285. Attached to the Feb. 3 Hendricks Decl. as Exhibit 179 (Dkt. 34-4) is a true and correct copy of an email dated March 13, 2008 from D. Beltman to info@translatingspanish.com, copying A. Maest, with the subject, “Last annex: Unjust

enrichment,” produced by Stratus and bearing the Bates numbers STRATUS-NATIVE062935 – 062943.

286. Attached to the Feb. 3 Hendricks Decl. as Exhibit 180 (Dkt. 34-5) is a true and correct copy of an email dated March 7, 2008 from D. Beltman to info@translatingspanish.com with the subject, “Two more annexes for translation,” produced by Stratus and bearing the Bates number STRATUS-NATIVE070414.

287. Attached to the Feb. 3 Hendricks Decl. as Exhibit 181 (Dkt. 34-6) is a true and correct copy of an email dated May 7, 2007 from S. Donziger to Luis Francisco with the subject, “JK,” produced S. Donziger and bearing the Bates stamp DONZ00108534, and certified English translation thereof.

288. Attached to the Feb. 3 Hendricks Decl. as Exhibit 182 (Dkt. 34-7) is a true and correct copy of an email dated March 23, 2008 from D. Beltman to S. Donziger with the subject, “Powers Report,” produced by Stratus and bearing the Bates number STRATUS-NATIVE063676.

289. Attached hereto as Exhibit N is a true and correct copy of portions of the transcript of the deposition of Ann S. Maest, taken on January 19, 2011, in *Chevron Corp. v. Stratus Consulting, Inc.*, No. 1:10-cv-00047-MSK-MEH (D. Colo.).

290. Attached to the Feb. 3 Hendricks Decl. as Exhibit 183 (Dkt. 34-8) is a true and correct copy of an email dated January 22, 2008 from Luis Miguel García Aragón, a member of R. Cabrera’s team, to D. Beltman with the subject, “reestablishing communication,” produced by Stratus and bearing the Bates number STRATUS07302010 000003.

291. Attached to the Feb. 3 Hendricks Decl. as Exhibit 184 (Dkt. 34-9) is a true and correct copy of portions of the transcript of the deposition of Jennifer Peers, taken on December

22, 2010 in *Chevron Corp. v. Stratus Consulting, Inc.*, No. 1:10-cv-00047-MSK-MEH (D. Colo.).

292. Attached to the Feb. 3 Hendricks Decl. as Exhibit 185 (Dkt. 34-10) is a true and correct copy of an email dated May 16, 2010 from J. Abady to S. Donziger, I. Maazel, and others with the subject, “Motion Under Rule 60 (B)(3),” produced by S. Donziger and bearing the Bates number DONZ00056668.

293. Attached to the Feb. 3 Hendricks Decl. as Exhibit 186 (Dkt. 34-11) is a true and correct copy of Brief of Ecuadorian Plaintiffs filed January 19, 2011 in *In re Application of Chevron Corp.*, Nos. 10-4699, 11-1099 (3d Cir.).

294. Attached to the Feb. 3 Hendricks Decl. as Exhibit 187 (Dkt. 34-12) is a true and correct copy of an email dated May 14, 2008 from D. Beltman to S. Donziger, K. Hinton, and others with the subject, “A few additional comments,” produced by Stratus and bearing the Bates numbers STRATUS-NATIVE049270 – 049277.

295. Attached to the Feb. 3 Hendricks Decl. as Exhibit 188 (Dkt. 34-13) is a true and correct copy of an email dated November 18, 2008 from D. Beltman to S. Donziger with the subject, “Ecuador trip report and health summary,” forwarding emails from Richard Clapp, and attached document entitled, “Report of Richard Clapp, D.Sc., MPH,” produced by Stratus and bearing the Bates numbers STRATUS-NATIVE061311 – 061316.

296. Attached to the Feb. 3 Hendricks Decl. as Exhibit 189 (Dkt. 34-14) is a true and correct copy of an email dated July 28, 2008 from D. Beltman to D. Mills with the subject, “another annex for Clapp,” produced by Stratus and bearing the Bates number STRATUS-NATIVE057803.

297. Attached to the Feb. 3 Hendricks Decl. as Exhibit 190 (Dkt. 34-15) is a true and correct copy of portions of the transcript of the deposition of David M. Mills, taken on October 20, 2010, in *Chevron Corp. v. Stratus Consulting, Inc.*, No. 1:10-cv-00047-MSK-MEH (D. Colo.).

298. Attached to the Feb. 3 Hendricks Decl. as Exhibit 191 (Dkt. 34-16) is a true and correct copy of an email dated March 18, 2009 from S. Donziger to P. Fajardo with the subject, “Necesito respuesta” [“I need a response”], produced by S. Donziger and bearing the Bates number DONZ00050214, and a certified English translation thereof.

299. Attached hereto as Exhibit O is a true and correct copy of an email dated June 22, 2007 from P. Fajardo to S. Donziger with the subject “CUENTA” [“ACCOUNT”], produced by S. Donziger and bearing the Bates number DONZ00043514, and a certified English translation thereof.

300. Attached to the Feb. 3 Hendricks Decl. as Exhibit 192 (Dkt. 34-17) is a true and correct copy of E-Tech International’s tax returns for 2006, 2007, and 2008.

301. Attached to the Feb. 3 Hendricks Decl. as Exhibit 193 (Dkt. 34-18) is a true and correct copy of a certification of cancellation from the New Mexico Office of the Public Regulation Commission dated May 21, 2010 and certification of incorporation dated September 10, 2003.

302. Attached to the Feb. 3 Hendricks Decl. as Exhibit 194 (Dkt. 34-19) is a true and correct copy of a press release issued by Frente de Defensa de la Amazonia entitled, “Court Expert Smacks Chevron With Up To \$16 Billion In Damages for Polluting Indigenous Lands In Amazon,” dated April 2, 2008.

303. Attached to the Feb. 3 Hendricks Decl. as Exhibit 195 (Dkt. 34-20) is a true and correct copy of an email dated April 1, 2008 from S. Donziger to J. Kohn with the subject, "DRAFT ONLY -- DO NOT SHOW TO ANYBODY," produced by S. Donziger and bearing the Bates numbers DONZ00025894.

304. Attached to the Feb. 3 Hendricks Decl. as Exhibit 196 (Dkt. 34-21) is a true and correct copy of an email chain dated October 29, 2008 among D. Beltman, J. Peers, and A. Maest with the subject, "Plan for rough estimate of groundwater damages," produced by Stratus and bearing the Bates number STRATUS-NATIVE053480.

305. Attached to the Feb. 3 Hendricks Decl. as Exhibit 197 (Dkt. 34-22) is a true and correct copy of an email dated October 31, 2008 from A. Maest to W. Powers, copying D. Beltman and J. Peers with the subject, "Reinjection and gas capture questions," produced by W. Powers and bearing the Bates number CA000816-17, and a certified English translation thereof.

306. Attached to the Feb. 3 Hendricks Decl. as Exhibit 198 (Dkt. 34-23) is a true and correct copy of an email chain dated November 6, 2008 between D. Beltman and S. Donziger with the subject, "clapp," produced by Stratus and bearing the Bates number STRATUS-NATIVE065062.

307. Attached hereto as Exhibit DN is a true and correct copy of an email dated May 19, 2008 from S. Donziger to D. Beltman with the subject "Fwd: COMMENTS," produced by Stratus and bearing the Bates number STRATUS-NATIVE062132 and a certified English translation thereof.

308. Attached to the Feb. 3 Hendricks Decl. as Exhibit 199 (Dkt. 34-24) is a true and correct copy of portions of the transcript of the deposition of Douglas C. Allen, taken on December 16, 2010, in *Application of Chevron Corp. v. Allen*, 2:10-mc-00091-WKS (D. Vt.).

309. Attached hereto as Exhibit CD is a true and correct copy of portions of the transcript of the deposition of Charles W. Calmbacher, taken on March 29, 2010, in *In re Application of Chevron Corp.*, 1:10-MI-0076-TWT-GGB (N.D. Ga.).

310. Attached hereto as Exhibit CE is a true and correct copy of an email dated May 19, 2005 from L. Yanza to S. Donziger with the subject "Re: Fwd: SALARIES FOR ENGINEERS," recovered from S. Donziger's hard drives and bearing the Bates number DONZ-HDD-0063057, and a certified English translation thereof.

311. Attached hereto as Exhibit P is a true and correct copy of an email dated November 1, 2004 from D. Russell to S. Donziger and E. Camino with the subject "Re: two important issues," recovered from S. Donziger's hard drives and bearing the Bates number DONZ-HDD-0056423.

312. Attached hereto as Exhibit DO is a true and correct copy of an email dated December 4, 2007 from A. Maest to S. Donziger and D. Beltman with the subject "RE: can we talk briefly today?" produced by Stratus and bearing the Bates number STRATUS-NATIVE050355.

313. Attached hereto as Exhibit Q is a true and correct copy of an email dated December 14, 2007 from P. Fajardo to S. Donziger with the subject "Re: one more time," produced by S. Donziger and bearing the Bates number DONZ00045245, and a certified English translation thereof.

314. Attached to the Feb. 3 Hendricks Decl. as Exhibit 200 (Dkt. 34-25) is a true and correct copy of an email dated June 26, 2008 from D. Beltman to members of Amazon Watch with the subject, "Greetings, and....," and attachment entitled, "Technical Summary Report By:

Engineer Richard Stalin Cabrera Vega,” dated March 24, 2008, produced by Stratus and bearing the Bates numbers STRATUS07162010 000001 – 07162010 000053.

315. Attached to the Feb. 3 Hendricks Decl. as Exhibit 201 (Dkt. 34-26) is a true and correct copy of Stratus Consulting, Inc.’s “Comments on the Report of the Court-Appointed Expert Richard Cabrera Vega in the Case of Maria Aguinda y Otros v. Chevron Corp.,” dated December 1, 2008, signed by Executive Vice President D. Beltman, Principal D. Chapman, Managing Scientist A. Maest, Senior Scientist J. Peers, and Senior Analyst D. Mills, *available at* <http://amazonwatch.org/documents/ecuador-press-kit/stratus-comments-on-cabrera.pdf>.

316. Attached to the Feb. 3 Hendricks Decl. as Exhibit 202 (Dkt. 34-27) is a true and correct copy of an email dated June 12, 2008 from D. Mills to Steve Hampton with the subject, “Assistance with report review,” produced by Stratus and bearing the Bates numbers STRATUS-NATIVE042209 – 042210.

317. Attached to the Feb. 3 Hendricks Decl. as Exhibit 203 (Dkt. 34-28) is a true and correct copy of an email dated June 26, 2009 from D. Beltman to “geraldo@cpqam.fiocruz.br” with the subject, “support on Chevron case,” and attachment entitled, “Comments on the Report of the Court-Appointed Expert Ing. Richard Cabrera Vega in the Case of Maria Aguinda y Otros v. Chevron Corp.,” produced by Stratus and bearing the Bates numbers STRATUS07022010 000334 – 07022010 000350.

318. Attached to the Feb. 3 Hendricks Decl. as Exhibit 204 (Dkt. 34-29) is a true and correct copy of an email dated July 29, 2008 from D. Beltman to S. Donziger, J. Kohn, and D. Mills, with the subject, “Cabrera document review,” produced by Stratus and bearing the Bates numbers STRATUS-NATIVE042610 – 042611.

319. Attached to the Feb. 3 Hendricks Decl. as Exhibit 205 (Dkt. 34-30) is a true and correct copy of an Honorarium Agreement S063-8H-1303 dated July 15, 2008 between Stratus Consulting, Inc. and Peter Jones, produced by Stratus and bearing the Bates numbers STRATUS-NATIVE043281 – 43288.

320. Attached to the Feb. 3 Hendricks Decl. as Exhibit 206 (Dkt. 35-2 through 35-7) is a true and correct copy of filings by P. Fajardo in the Lago Agrio Litigation relating to payments to R. Cabrera, and checks paid to R. Cabrera, and certified English translations thereof.

321. Attached to the Feb. 3 Hendricks Decl. as Exhibit 207 (Dkt. 35-8) is a true and correct copy of a filing by Chevron in the Lago Agrio Litigation on October 6, 2008, moving to revoke order regarding payment of fees to R. Cabrera, and a certified English translation thereof.

322. Attached hereto as Exhibit R is a true and correct copy of an email dated April 17, 2007 from L. Yanza to S. Donziger with the subject “varias cosas” [“A couple of things”], produced by S. Donziger and bearing the Bates number DONZ00042961, and a certified English translation thereof.

323. Attached hereto as Exhibit S is a true and correct copy of an email dated September 12, 2007 from L. Yanza to S. Donziger with the subject “No le demos el gusto a Texaco de parar el PG” [“We should not give Texaco the pleasure of stopping the Global Assessment”], recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0125080, and a certified English translation thereof.

324. Attached to the Feb. 3 Hendricks Decl. as Exhibit 208 (Dkt. 35-9) is a true and correct copy of a filing by R. Cabrera in the Lago Agrio Litigation dated July 23, 2007, stating that he has no relation or agreements with the Lago Agrio Plaintiffs, and a certified English translation thereof.

325. Attached to the Feb. 3 Hendricks Decl. as Exhibit 209 (Dkt. 35-10) is a true and correct copy of a filing by R. Cabrera in the Lago Agrio Litigation dated October 7, 2008, stating that he is “an honest man with nothing to hide, and [his] conduct as an expert in this case has been as professional, impartial and objective as possible, as can be seen from [his] expert report,” and a certified English translation thereof.

326. Attached to the Feb. 3 Hendricks Decl. as Exhibit 210 (Dkt. 36-2 through 36-3) is a true and correct copy of a filing by R. Cabrera in the Lago Agrio Litigation dated February 5, 2009, responding to requests made by Chevron, and a certified English translation thereof.

327. Attached to the Feb. 3 Hendricks Decl. as Exhibit 211 (Dkt. 36-4) is a true and correct copy of a filing by R. Cabrera in the Lago Agrio Litigation dated March 4, 2009, defending his neutrality, and a certified English translation thereof.

328. Attached to the Feb. 3 Hendricks Decl. as Exhibit 212 (Dkt. 36-5) is a true and correct copy of a filing by P. Fajardo in the Lago Agrio Litigation on April 4, 2008, denying Chevron’s assertions regarding R. Cabrera’s report, and a certified English translation thereof.

329. Attached to the Feb. 3 Hendricks Decl. as Exhibit 213 (Dkt. 36-6) is a true and correct copy of a filing by P. Fajardo in the Lago Agrio Litigation on April 25, 2008, denying Chevron’s assertions regarding the Lago Agrio Plaintiffs’ relationship with R. Cabrera, and a certified English translation thereof.

330. Attached hereto as Exhibit T is a true and correct copy of an email dated June 14, 2010 from S. Donziger to N. Economou with the subject “FYI,” produced by S. Donziger and bearing the Bates number DONZ00068050.

331. Attached to the Feb. 3 Hendricks Decl. as Exhibit 214 (Dkt. 36-7) is a true and correct copy of an email dated August 18, 2010 among S. Donziger, Jonathan Abady of Emery

Celli, and Adlai Small and Eric Westenberger of Patton Boggs with the subject, “Brainstorming on Expert issues – PRIVILEGED AND CONFIDENTIAL – ATTORNEY WORK PRODUCT,” produced by S. Donziger and bearing the Bates number DONZ00031475.

332. Attached to the Feb. 3 Hendricks Decl. as Exhibit 215 (Dkt. 36-8) is a true and correct copy of a letter dated August 18, 2010 from H. Edward Dunkelberger, III, Senior Director of The Weinberg Group Inc. to Jonathan Abady of Emery Celli, and attachment entitled, “Statement of Terms and Conditions,” produced by S. Donziger and bearing the Bates number DONZ00031477.

333. Attached to the Feb. 3 Hendricks Decl. as Exhibit 216 (Dkt. 36-9) is a true and correct copy of an email dated August 20, 2010 among S. Donziger, Julia Brickell of H5, and Nicolas Economou with the subject, “Call to discuss expert report,” produced by S. Donziger and bearing the Bates number DONZ00031480.

334. Attached to the Feb. 3 Hendricks Decl. as Exhibit 217 (Dkt. 36-10) is a true and correct copy of portions of the transcript of the deposition of Lawrence W. Barnthouse, taken on December 10, 2010, in *Chevron v. Barnthouse*, 1:10-mc-53 (S.D. Ohio).

335. Attached to the Feb. 3 Hendricks Decl. as Exhibit 218 (Dkt. 36-11) is a true and correct copy of an email chain dated July 13, 2010 among S. Donziger, E. Westenberger, and Adlai Small with the subject, “Expert,” produced by S. Donziger and bearing the Bates number DONZ00057942.

336. Attached hereto as Exhibit U is a true and correct copy of portions of the transcript of the deposition of Douglas C. Allen, taken on December 16, 2010, in *Application of Chevron Corp.*, No. 2:10-mc-00091-WKS (D. Vt.).

337. Attached hereto as Exhibit V is a true and correct copy of portions of the transcript of the deposition of Lawrence W. Barnhouse, taken on December 10, 2010, in *Chevron Corp. v. Barnhouse*, No. 1:10-mc-53 (S.D. Ohio).

338. Attached to the Feb. 3 Hendricks Decl. as Exhibit 219 (Dkt. 36-12) is a true and correct copy of portions of the transcript of the deposition of Jonathan S. Shefftz, taken on December 16, 2010, in *Chevron Corp. v. Shefftz*, No. 1:10-mc-10352-JFT (D. Mass.).

339. Attached to the Feb. 3 Hendricks Decl. as Exhibit 220 (Dkt. 36-13) is a true and correct copy of portions of the transcript of the deposition of Carlos Emilio Picone, taken on December 16, 2010, in *Chevron Corp. v. Picone*, No. 8:10-cv-02990-AW (D. Md.).

340. Attached to the Feb. 3 Hendricks Decl. as Exhibit 221 (Dkt. 36-14) is a true and correct copy of portions of the transcript of the deposition of Robert Paolo Scardina, taken on December 22, 2010, in *In re Application of Chevron Corp. v. Scardina*, No. 7:10-mc-00067 (W.D. Va.).

341. Attached hereto as Exhibit W is a true and correct copy of an article entitled “Shakedown in the Rain Forest,” WALL STREET JOURNAL, dated September 24, 2010.

2. Colluding with the Republic of Ecuador to Bring Sham Charges Against Chevron’s Attorneys

342. Attached hereto as Exhibit X is a true and correct copy of an email dated March 3, 2005 from C. Bonifaz to J. Kohn, S. Donziger, J. Bonifaz, A. Wray, and M. Pareja, with the subject “Texaco,” recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0046401.

343. Attached to the Feb. 3 Hendricks Decl. as Exhibit 222 (Dkt. 36-15) is a true and correct copy of an email dated October 3, 2005 from S. Donziger to J. Kohn with the subject,

“Lehane’s first press plan,” and attached memorandum dated October 1, 2005 entitled, “Roll-Out Plan,” produced by S. Donziger and bearing the Bates numbers DONZ00027918 – 00027919.

344. Attached to the Feb. 3 Hendricks Decl. as Exhibit 223 (Dkt. 36-16) is a true and correct copy of an email chain dated May 30, 2005 among S. Donziger, J. Kohn, A. Wray, C. Bonifaz, and J. Bonifaz, ending with an email with the subject, “sked conference call monday at 10 a.m.,” produced by S. Donziger and bearing the Bates number DONZ00026843.

345. Attached hereto as Exhibit CF is a true and correct copy of an email dated December 7, 2004 from C. Bonifaz to S. Donziger and E. Camino with the subject “Re: SUPUESTO FRAUDE,” recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0053565.

346. Attached hereto as Exhibit CG is a true and correct copy of an email dated May 30, 2005 from S. Donziger to C. Bonifaz, A. Wray, J. Kohn, and J. Bonifaz with the subject “Re: sked conference call monday at 10 a.m.” recovered from S. Donizger’s hard drives and bearing the Bates number DONZ-HDD-0075501.

347. Attached hereto as Exhibit CH is a true and correct copy of an email dated June 14, 2005 from J. Kohn to C. Bonifaz, S. Donziger, and A. Wray with the subject “RE: more proof in case,” recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0069896.

348. Attached to the Feb. 3 Hendricks Decl. as Exhibit 224 (Dkt. 36-17) is a true and correct copy of a transcript and certified English translation of the Lago Agrio Plaintiffs’ press conference on July 31, 2008 and photos from the press conference.

349. Attached to the Feb. 3 Hendricks Decl. as Exhibit 224A (Dkt. 36-18) is a true and correct copy of an email chain dated August 10, 2005 among Dr. Martha Escobar, A. Wray, C.

Bonifaz, and others with the subject, “reunion presidente” [“meeting president”], and a certified English translation thereof.

350. Attached to the Feb. 3 Hendricks Decl. as Exhibit 225 (Dkt. 36-19) is a true and correct copy of an email dated February 8, 2006 from S. Donziger to L. Yanza with the subject, “ideas,” produced by S. Donziger and bearing the Bates number DONZ00028217, and a certified English translation thereof.

351. Attached to the Feb. 3 Hendricks Decl. as Exhibit 225A (Dkt. 36-20) is a true and correct copy of an email dated January 31, 2006 from S. Donziger and J. Prieto with the subject, “Nulidad del Contrato de Remediación!!” [“Remediation Agreement Nullification!!”], produced by S. Donziger and bearing the Bates number DONZ00028129, and a certified English translation thereof.

352. Attached to the Feb. 3 Hendricks Decl. as Exhibit 226 (Dkt. 36-21) is a true and correct copy of an email dated March 6, 2007 from S. Donziger to R. Kamp, copying A. Maest, M. Quarles, and W. Powers, with the subject, “meeting on remediation draft,” produced by S. Donziger and bearing the Bates number DONZ00006860.

353. Attached to the Feb. 3 Hendricks Decl. as Exhibit 226A (Dkt. 36-22) is a true and correct copy of an email chain dated July 21, 2006 among W. Powers, S. Donziger, A. Maest, M. Quarles, and others ending with an email with the subject, “restructuring E-Tech response in light of government lawsuit,” produced by S. Donziger and bearing the Bates number DONZ00023146.

354. Attached hereto as Exhibit Y is a true and correct copy of an email exchange dated February 4, 2009 between S. Donziger and J. Saenz with the subject “RE: Nuevo

Boletin/importante” [“RE: New Press Release/important”], produced by Donziger and bearing the Bates number DONZ00028909, and a certified English translation thereof.

355. Attached to the Feb. 3 Hendricks Decl. as Exhibit 227 (Dkt. 36-23) is a true and correct copy of an Order dated August 26, 2008 issued by the Office of the Prosecutor General Washington Pesántez, ordering investigation of the case against Messrs. Ricardo Reis Vega and Rodrigo Pérez Pallares to begin, and a contemporaneous translation thereof.

356. Attached to the Feb. 3 Hendricks Decl. as Exhibit 227A (Dkt. 36-24) is a true and correct copy of an email chain dated February 4, 2009 among J. Sáenz, S. Donziger, P. Fajardo, and others with the subject, “Nuevo Boletin/importante,” produced by S. Donziger and bearing the Bates number DONZ00049867.

357. Attached to the Feb. 3 Hendricks Decl. as Exhibit 228 (Dkt. 36-25) is a true and correct copy of a memorandum dated July 31, 2008 entitled “Indagación Previa por Falsificación Ideológica de Documento Público: Un grave delito que está cerca de prescribir” [“Preliminary Criminal Investigation of Falsehood in a Public Instrument: A serious crime that is about to be time-barred”], and a certified English translation thereof.

358. Attached to the Feb. 3 Hendricks Decl. as Exhibit 228A (Dkt. 36-26) is a true and correct copy of an email dated February 15, 2006 from S. Donziger to R. Herrera and others with the subject, “Important – Chevron/Ecuador,” and attachment entitled, “Argumentos para pedir la Nulidad del Contrato de Remediacion” [“Arguments for Requesting Nullification of the Remediation Agreement”], produced by S. Donziger and bearing the Bates stamp DONZ00086287, and a certified English translation thereof.

359. Attached to the Feb. 3 Hendricks Decl. as Exhibit 229 (Dkt. 37-2) is a true and correct copy of the certified transcription and English translation of the video clip of the October 5, 2009 “Marcha demandantes Lago Agrio.”

360. Filed concurrently with the Feb. 3 Hendricks Decl. as Exhibit 5 (Dkt. 8-8) is a DVD with a true and correct copy of a video clip of the October 5, 2009 “Marcha demandantes Lago Agrio,” with English subtitles.

361. Attached to the Feb. 3 Hendricks Decl. as Exhibit 229A (Dkt. 37-3) is a true and correct copy of portions of the transcript of the deposition of Dr. Martha Escobar, taken on November 21, 2006, in *Republic of Ecuador v. ChevronTexaco Corp.*, No. 04 CV 8378 LBS (S.D.N.Y.).

362. Attached to the Feb. 3 Hendricks Decl. as Exhibit 230 (Dkt. 37-4) is a true and correct copy of the United States Department of State, Bureau of Economic, Energy and Business Affairs, “2010 Investment Climate Statement – Ecuador,” dated March 2010, *available at* <http://www.state.gov/e/eeb/rls/othr/ics/2010/138060.htm>.

363. Attached hereto as Exhibit CI is a true and correct copy of an email dated September 26, 2005 from B. Powers to S. Donziger with the subject “research and response FW: need help responding to Chevron’s letter,” recovered from S. Donziger’s hard drives and bearing the Bates number WOODS-HDD-0082160.

364. Attached hereto as Exhibit CJ is a true and correct copy of an email dated October 12, 2005 from S. Donziger to A. Page with the subject “urgent research project – Sarbanes Oxley,” produced by S. Donziger and bearing the Bates number DONZ00027938.

365. Attached to the Feb. 3 Hendricks Decl. as Exhibit 230A (Dkt. 37-5) is a true and correct copy of a Presidential Press release entitled, “El Presidente de la República visitará las

provincias de Orellana y Sucumbíos” [“The President of the Republic will visit the Province of Orellana and Sucumbíos”], dated April 25, 2007, and a certified English translation thereof.

3. Launching Public Attacks on Chevron Based on Misleading Statements and Lies to Force Chevron to Pay Up

366. Attached to the Feb. 3 Hendricks Decl. as Exhibit 231 (Dkt. 37-6) is a true and correct copy of an email dated February 10, 2006 from S. Donziger to P. Fajardo, L. Yanza, and A. Ponce with the subject, “Always on the offensive/Ricardito,” produced by S. Donziger and bearing the Bates number DONZ00028233, and a certified English translation thereof.

367. Attached to the Feb. 3 Hendricks Decl. as Exhibit 231A (Dkt. 37-7) is a true and correct copy of a Presidential Press release entitled, “Que el mundo entero vea la barbaridad que hizo Texaco” [“The whole world should see the barbarity displayed by Texaco”], dated April 26, 2007, and a certified English translation thereof.

368. Attached to the Feb. 3 Hendricks Decl. as Exhibit 232 (Dkt. 37-8) is a true and correct copy of an email dated October 29, 2007 from S. Donziger to Chris Lehané with the subject, “let’s talk,” produced by S. Donziger and bearing the Bates number DONZ00021158.

369. Attached hereto as Exhibit CK is a true and correct copy of an email dated August 8, 2006 from R. Bistrong to S. Donziger with the subject “RE: Hello,” recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0083063.

370. Attached to the Feb. 3 Hendricks Decl. as Exhibit 232A (Dkt. 37-9) is a true and correct copy of an article entitled “Correa se declara ‘indignado’ por daños en la Amazonía causados por Texaco” [“Correa Says He is ‘Furious’ About the Damage Texaco caused in the Amazonian Region”], Agencia EFE, dated April 28, 2007, and a certified English translation thereof.

371. Attached to the Feb. 3 Hendricks Decl. as Exhibit 233 (Dkt. 37-10) is a true and correct copy of a transcript of a hearing held on September 23, 2010 in *In re Application of Chevron*, 10 MC 00002 (LAK) (S.D.N.Y.).

372. Attached to the Feb. 3 Hendricks Decl. as Exhibit 233A (Dkt. 37-11) is a true and correct copy of an email dated February 27, 2007 from Simeon Tegel of Amazon Watch to S. Donziger, copying members of Amazon Watch, with the subject, “edited release,” and attached draft of press release entitled, “Judge Brings Forward Ruling on Chevron’s Multi-Billion Dollar Ecuador Trial,” produced by S. Donziger and bearing the Bates numbers DONZ0006833 – 0006834.

a. The Fraudulent Media Blitz

373. Attached to the Feb. 3 Hendricks Decl. as Exhibit 234 (Dkt. 37-12) is a true and correct copy of an article by Peter Maass entitled, “Slick,” *OUTSIDE*, March 2007, *available at* <http://www.petermaass.com/articles/slick/>.

374. Attached to the Feb. 3 Hendricks Decl. as Exhibit 235 (Dkt. 37-13) is a true and correct copy of an email dated October 6, 2008 from D. Beltman to S. Donziger, J. Kohn, and others with the subject, “Current Work List Update,” produced by Stratus and bearing the Bates number STRATUS-NATIVE043297.

375. Attached hereto as Exhibit Z is a true and correct copy of an email dated October 5, 2004 from Z. Hurwitz to S. Donziger with the subject “Re: job description,” recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0057683.

376. Attached hereto as Exhibit AA is a true and correct copy of a memorandum from S. Donziger to Rainforest Action Network with the subject “Chevron Campaign Ideas,” last

modified on September 25, 2009, according to the document's metadata, recovered from S. Donziger's hard drives and bearing the Bates number DONZ-HDD-0007634.

377. Attached to the Feb. 3 Hendricks Decl. as Exhibit 236 (Dkt. 37-14) is a true and correct copy of an email dated August 9, 2006 from Simeon Tegel of Amazon Watch to S. Donziger and J. Ciplet with the subject, "Posting release," and attached press release dated August 9, 2006 entitled, "Chevron Executive Cancels Press Conference To Defend Against Fraud Charges In Ecuador," produced by S. Donziger and bearing the Bates numbers DONZ00006626 – 00006627.

378. Attached hereto as Exhibit AB is a true and correct copy of a document titled "Amazon Watch Ecuador Campaign," dated June 4, 2009, according to the document's metadata, recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0353023.

379. Attached hereto as Exhibit AC is a true and correct copy of a document titled "Chevron Pressure Chart," created on February 4, 2009, according to the document's metadata, recovered from S. Donziger's hard drives and bearing the Bates number DONZ-HDD-0201477.

380. Attached to the Feb. 3 Hendricks Decl. as Exhibit 237 (Dkt. 37-15) is a true and correct copy of an email chain dated August 24, 2007 among P. Fajardo, S. Donziger, S. Tegel, and others with the subject, "follow up on press releases," produced by S. Donziger and bearing the Bates number DONZ00044114.

381. Attached to the Feb. 3 Hendricks Decl. as Exhibit 238 (Dkt. 37-16) is a true and correct copy of an email chain dated January 26, 2010 among S. Donziger, A. Soltani, S. Tegel, and others with the subject, "another thought," produced by S. Donziger and bearing the Bates number DONZ00048985.

382. Attached to the Feb. 3 Hendricks Decl. as Exhibit 239 (Dkt. 37-17) is a true and correct copy of a letter from A. Soltani, Executive Director of Amazon Watch, to Chevron CEO John Watson, dated December 17, 2009, *available at* <http://chevrontoxico.com/news-and-multimedia/2009/1217-letter-from-atossa-soltani-to-new-chevron-ceo-john-watson.html>.

383. Attached hereto as Exhibit AD is a true and correct copy of an email dated January 11, 2008 from L. Dematteis to S. Donziger with the subject “Re: Vacation; Book Costs,” recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0151684.

384. Attached hereto as Exhibit AE is a true and correct copy of a March 2, 2010 blog post entitled “Emergildo Criollo Delivers Letter and Petition to Chevron Headquarters,” *available at* <http://changechevron.org/blog/emergildo-criollo-delivers-petition-to-chevron-headquarters> and last accessed May 9, 2011.

385. Attached hereto as Exhibit CL is a true and correct copy of an email dated May 28, 2010 from S. Donziger to R. DeLeon with the subject “Re: Fw: Chevron update – from Houston,” produced by S. Donziger and bearing the Bates number DONZ00127260.

386. Attached hereto as Exhibit CM is a true and correct copy of an email dated January 24, 2009 from S. Donziger to A. Woods with the subject “quick assignment,” recovered from S. Donziger’s hard drives and bearing the Bates number WOODS-HDD-0354358.

387. Attached hereto as Exhibit CN is a true and correct copy of a memorandum with the subject “Chevron’s Board of Directors,” created on September 27, 2009, according to the document’s metadata, recovered from S. Donziger’s hard drives and bearing the Bates number WOODS-HDD-0128174.

388. Attached hereto as Exhibit CO is a true and correct copy of an email dated February 9, 2007 from L. Salazar Lopez to S. Donziger with the subject "Checking in today?" produced by S. Donziger and bearing the Bates number DONZ00022312.

389. Attached hereto as Exhibit CP is a true and correct copy of a memorandum dated June 4, 2010 prepared by M. Ramos titled "Team Workplan 2010-2011," produced by S. Donziger and bearing the Bates number DONZ00104202.

390. Attached hereto as Exhibit CQ is a true and correct copy of an email from B. Cayo-Cotter to M. Anderson and others with the subject "Great Alternet piece up about last week's Chevron extravaganza!," produced by S. Donziger and bearing the Bates number DONZ00054689.

391. Attached to the Feb. 3 Hendricks Decl. as Exhibit 240 (Dkt. 37-18) is a true and correct copy of a screenshot of the webpage, "ChevronToxico | Donate" at <http://chevrontoxico.com/take-action/donate.html>.

392. Attached to the Feb. 3 Hendricks Decl. as Exhibit 241 (Dkt. 37-19) is a true and correct copy of an email dated July 1, 2009 from Russ DeLeon to S. Donziger with the subject, "Fee Breakdown Chart through 5-31-09 (00053725-2).XLS," forwarding email chain between Russ DeLeon and J. Kohn, and attachment entitled, "Fee Breakdown Chart through 5-31-09 v.JRD.xls," produced by S. Donziger and bearing the Bates numbers DONZ00039127 – 00039128.

393. Attached to the Feb. 3 Hendricks Decl. as Exhibit 242 (Dkt. 37-20 through 47-3) is a true and correct copy of Amazon Watch's tax returns for 2002 through 2008.

394. Attached hereto as Exhibit EN is a true and correct copy of an email dated April 13, 2010 from A. Woods to S. Donziger with the subject "RE: budget for jumail," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0208416.

395. Attached hereto as Exhibit ER is a true and correct copy of an email dated July 13, 2009 from K. Hinton to A. Woods with the subject "FW: opeds," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0099390.

396. Attached hereto as Exhibit ES is a true and correct copy of an email dated February 16, 2010 from S. Donziger to A. Woods with the subject "follow up," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0257795.

397. Attached hereto as Exhibit EO is a true and correct copy of a Chase Bank Statement dated February 26, 2010, produced by S. Donziger and bearing the Bates number DONZ00132910.

398. Attached hereto as Exhibit AF is a true and correct copy of an email dated November 2, 2007 from M. O'Brien to S. Donziger with the subject "Re: your ecuador film," recovered from S. Donziger's hard drives and bearing the Bates number DONZ-HDD-0134986.

399. Attached to the Feb. 3 Hendricks Decl. as Exhibit 243 (Dkt. 47-4) is a true and correct copy of an email dated March 19, 2009 from S. Donziger to *Crude* filmmakers, J. Berlinger and M. Bonfiglio, with the subject, "did u know that...", produced by J. Berlinger and bearing the Bates number JB-NonWaiver00011487.

400. Attached hereto as Exhibit AG is a true and correct copy of an email dated May 2, 2006 from M. Bonfiglio to S. Donziger, K. Koenig, and L. Salazar, with the subject "Re: cvx footage," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0087195.

401. Attached to the Feb. 3 Hendricks Decl. as Exhibit 244 (Dkt. 47-5) is a true and correct copy of portions of the transcript of the deposition of Joseph Berlinger, taken on November 5, 2010 in *In re Application of Chevron*, 10 MC 00001 (LAK) (S.D.N.Y.).

402. Attached to the Feb. 3 Hendricks Decl. as Exhibit 245 (Dkt. 47-6) is a true and correct copy of an email chain dated August 3, 2010 among J. Berlinger, S. Donziger, P. Fajardo, and others with the subject, “GRACIAS” [“THANK YOU”], produced by J. Berlinger and bearing the Bates numbers JB-NONWAIVER00091320 – 00091322, and a certified English translation thereof.

403. Attached to the Feb. 3 Hendricks Decl. as Exhibit 246 (Dkt. 47-7) is a true and correct copy of an email chain dated February 24, 2009 between P. Fajardo and S. Donziger with the subject, “ME PREOCUPA” [“I’M WORRIED”], produced by S. Donziger and bearing the Bates number DONZ00050021.

404. Attached to the Feb. 3 Hendricks Decl. as Exhibit 247 (Dkt. 47-8) is a true and correct copy of an email dated April 6, 2009 from Ali Pflaum, Office of Joe Berlinger, to Emma Vaughn at cnn.com with the subject, “Crude Footage,” produced by J. Berlinger and bearing the Bates number JB-NonWaiver00012940.

405. Attached to the Feb. 3 Hendricks Decl. as Exhibit 248 (Dkt. 47-9) is a true and correct copy of an email dated June 25, 2009 from M. Bonfiglio to J. Berlinger with the subject, “E-mail to MM,” produced by J. Berlinger and bearing the Bates number JB-NONWAIVER00018410.

406. Attached to the Feb. 3 Hendricks Decl. as Exhibit 249 (Dkt. 47-10) is a true and correct copy of an email chain dated February 9, 2007 among S. Donziger, J. Berlinger, and M.

Bonfiglio with the subject, “important update,” produced by M. Bonfiglio and bearing the Bates numbers MB-STIP00065338 – 00065339.

407. Attached hereto as Exhibit ET is a true and correct copy of an email dated July 30, 2009 from J. Berlinger to H. Shan with the subject “Re: Checking in,” produced by J. Berlinger and bearing the Bates number JB-STIP00173593.

408. Attached to the Feb. 3 Hendricks Decl. as Exhibit 250 (Dkt. 47-11) is a true and correct copy of a screenshot of the ChevronToxico website on the film *Crude*, at <http://chevrontoxico.com/crude>.

b. Misrepresenting the “Independent” and “Neutral” Cabrera Report

409. Attached to the Feb. 3 Hendricks Decl. as Exhibit 251 (Dkt. 47-12) is a true and correct copy of a ChevronToxico webpage, “\$27 Billion Damages Assessment,” at <http://chevrontoxico.com/about/historic-trial/27-billion-damages-assessment.html>.

410. Attached to the Feb. 3 Hendricks Decl. as Exhibit 252 (Dkt. 47-13) is a true and correct copy of a press release issued by Amazon Defense Coalition / Frente de Defensa de la Amazonia entitled, “Chevron Accused of Lying to Shareholders Over \$16 billion Damages Claim in Ecuador Rainforest Case by Amazon Defense Coalition,” dated April 3, 2008, *available at* <http://chevrontoxico.com/news-and-multimedia/2008/04032-chevron-accused-of-lying-to-shareholders-over-16-billion-damages.html>.

411. Attached to the Feb. 3 Hendricks Decl. as Exhibit 253 (Dkt. 47-14) is a true and correct copy of an email dated August 14, 2008 between S. Donziger and P. Fajardo with the subject, “interesante” [“interesting”], produced by S. Donziger and bearing the Bates number DONZ00047412.

412. Attached to the Feb. 3 Hendricks Decl. as Exhibit 254 (Dkt. 47-15) is a true and correct copy of a certified transcript of a Fox News interview with J. Kohn on May 31, 2008.

413. Filed concurrently with the Feb. 3 Hendricks Decl. as Exhibit 5 (Dkt. 8-8) is a CD with a true and correct copy of a video clip of the May 31, 2008 Fox News interview with J. Kohn.

414. Attached to the Feb. 3 Hendricks Decl. as Exhibit 255 (Dkt. 47-16) is a true and correct copy of a press release issued by Amazon Defense Coalition / Frente de Defensa de la Amazonia entitled, "Chevron's \$27 Billion Liability in Ecuador's Amazon Confirmed by Team of Independent Scientists," dated December 1, 2008, *available at* <http://chevrontoxico.com/news-and-multimedia/2008/1201-chevrons-27-billion-liability-in-ecuadors-amazon-confirmed.html>.

415. Attached to the Feb. 3 Hendricks Decl. as Exhibit 256 (Dkt. 47-17) is a true and correct copy of an email chain dated March 18, 2009 between D. Beltman and S. Donziger with the subject, "draft text to address Chevron ad re: language in Cabrera response," produced by Stratus and bearing the Bates numbers STRATUS-NATIVE069215 – 069216.

416. Attached to the Feb. 3 Hendricks Decl. as Exhibit 257 (Dkt. 47-18) is a true and correct copy of an article by Mercedes Alvaro entitled, "Update: Chevron Seeks To Dismiss Ecuador Court Appointment," DOW JONES NEWSWIREs, dated May 24, 2010.

417. Attached to the Feb. 3 Hendricks Decl. as Exhibit 258 (Dkt. 47-19) is a true and correct copy of an email chain dated May 25, 2010 among P. Fajardo, J. Sáenz, and others with the subject, "REGARDING CHEVRON'S ANNULMENT REQUEST," produced by S. Donziger and bearing the Bates number DONZ00057014.

418. Attached to the Feb. 3 Hendricks Decl. as Exhibit 259 (Dkt. 47-20) is a true and correct copy of an article by Reuters entitled, "Report Says Chevron Owes Billions for

Ecuadorean Pollution,” NEW YORK TIMES, dated April 3, 2008, *available at* <http://www.nytimes.com/2008/04/03/business/worldbusiness/03chevron.html>.

419. Attached to the Feb. 3 Hendricks Decl. as Exhibit 260 (Dkt. 47-21) is a true and correct copy of a transcript of a 60 MINUTES program on May 3, 2009.

420. Attached to the Feb. 3 Hendricks Decl. as Exhibit 261 (Dkt. 47-22) is a true and correct copy of a press release issued by Amazon Defense Coalition / Frente de Defensa de la Amazonia entitled, “Chevron Faces Tens of Billions in Clean-Up Costs; Potential Death Toll Put at 10,000 in Ecuador Rainforest,” dated September 17, 2010, *available at* <http://chevrontoxico.com/news-and-multimedia/2010/0917-chevron-faces-tens-of-billions>.

421. Attached to the Feb. 3 Hendricks Decl. as Exhibit 262 (Dkt. 47-23) is a true and correct copy of a screenshot of the “Founders” webpage of The Goldman Environmental Prize website, *at* <http://www.goldmanprize.org/aboutus/founders>.

422. Attached to the Feb. 3 Hendricks Decl. as Exhibit 263 (Dkt. 47-24) is a true and correct copy of a press release issued by Amazon Watch entitled, “Pablo Fajardo Wins CNN Hero Award,” dated December 7, 2007, *available at* <http://chevrontoxico.com/news-and-multimedia/2007/1207-pablo-fajardo-wins-cnn-hero-award.html>.

423. Attached to the Feb. 3 Hendricks Decl. as Exhibit 264 (Dkt. 47-25) is a true and correct copy a screenshot of The Goldman Environmental Prize website providing information on 2008 recipients P. Fajardo and L. Yanza, *at* <http://www.goldmanprize.org/2008/centralsouthamerica>.

c. The RICO Defendants Make False Statements to U.S. State and Federal Government Officials

424. Attached hereto as Exhibit DP is a true and correct copy of an email dated September 26, 2005 from S. Donziger to C. Lehane with the subject "Re: SEC strategy/Ecuador," produced by S. Donziger and bearing the Bates number DONZ00027901.

425. Attached hereto as Exhibit DQ is a true and correct copy of an email dated November 1, 2005 from S. Donziger to C. Lehane with the subject "list of analysts that cover chevron," produced by S. Donziger and bearing the Bates number DONZ00086023.

426. Attached hereto as Exhibit DR is a true and correct copy of an email dated January 31, 2006 from S. Donziger to A. Soltani and "Jennifer," with the subject "Plan for SEC follow up," produced by S. Donziger and bearing the Bates number DONZ00028135.

427. Attached to the Feb. 3 Hendricks Decl. as Exhibit 265 (Dkt. 47-26) is a true and correct copy of a letter dated January 30, 2006 from Amazon Watch to the Chairman of the U.S. Securities and Exchange Commission, *available at* <http://chevrontoxico.com/news-and-multimedia/2006/0130-letter-to-sec-chairman.html>.

428. Attached hereto as Exhibit DS is a true and correct copy of an email dated January 31, 2006 from S. Donziger to C. Lehane with the subject "SEC complaint," produced by S. Donziger and bearing the Bates number DONZ00006069.

429. Attached to the Feb. 3 Hendricks Decl. as Exhibit 266 (Dkt. 47-27) is a true and correct copy of a letter dated February 28, 2006 from Amazon Watch to Christopher Cox, Chairman of the U.S. Securities and Exchange Commission.

430. Attached hereto as Exhibit AH is a true and correct copy of a memorandum dated July 12, 2006 from S. Donziger to C. Lehane with the subject "Developments in Ecuador Litigation," produced by S. Donziger and bearing the Bates number DONZ00106488.

431. Attached hereto as Exhibit CR is a true and correct copy of an email dated July 18, 2007 from D. Firger to A. Soltani and others with the subject “prepping for another SEC letter,” recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0117053.

432. Attached to the Feb. 3 Hendricks Decl. as Exhibit 267 (Dkt. 47-28) is a true and correct copy of a letter dated March 18, 2008 from Amazon Watch to Christopher Cox, Chairman of the U.S. Securities and Exchange Commission, *available at* <http://amazonwatch.org/amazon/EC/toxico/downloads/SECLetterFinal2008.pdf>.

433. Attached hereto as Exhibit AI is a true and correct copy of an email dated July 12, 2006 from D. Fisher to S. Donziger with the subject “RE: SEC investigation/Chevron,” recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0081432.

434. Attached to the Feb. 3 Hendricks Decl. as Exhibit 268 (Dkt. 47-29) is a true and correct copy of a letter dated May 6, 2008 from S. Donziger to U.S. Trade Representative Susan Schwab, enclosing a facsimile dated April 29, 2008 from L. Yanza and P. Fajardo to Susan Schwab.

435. Attached to the Feb. 3 Hendricks Decl. as Exhibit 269 (Dkt. 47-30) is a true and correct copy of the Statement by Steven R. Donziger to the Tom Lantos Human Rights Commission, dated April 28, 2009, *available at* <http://chevrontoxico.com/assets/docs/20090428statement-by-steven-donziger.pdf>.

436. Attached hereto as Exhibit CS is a true and correct copy of portions of a transcript of a congressional hearing before the Tom Lantos Human Rights Commission that took place on April 28, 2009, available at www.loe.org/images/content/090529/hearing_transcript.doc.

437. Attached to the Feb. 3 Hendricks Decl. as Exhibit 270 (Dkt. 47-31) is a true and correct copy of an email dated January 31, 2009 from D. Beltman to Cindy Buhl with the subject, "I'm sure you sent this to me before, but . . .," produced by Stratus and bearing the Bates number STRATUS06182010 000082.

438. Attached to the Feb. 3 Hendricks Decl. as Exhibit 270A (Dkt. 47-32) is a true and correct copy of an email dated December 19, 2008 from D. Beltman to S. Donziger, Cindy Buhl, a member of Congressman Jim McGovern's staff, and Michael Mershon with the subject, "LA Times going to do editorials on Ecuador/oil contamination/Texaco-chevron," produced by Stratus and bearing the Bates numbers STRATUS06182010 000078 – 06182010 000079.

439. Attached hereto as Exhibit CT is a true and correct copy of an email dated March 3, 2009 from M. Anderson to S. Donziger and A. Woods with the subject "Re: Maryland Letter to Chevron & Recap," produced by S. Donziger and bearing the Bates number DONZ00097083.

440. Attached hereto as Exhibit DT is a true and correct copy of an email dated February 13, 2009 from S. Donziger to B. Barnes, J. Sharp, S. Moorhead, K. Caperton, W. Wiedeman, and S. Martin with the subject "draft letter for Jerry Brown," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0092867.

441. Attached hereto as Exhibit DU is a true and correct copy of a memorandum last modified on March 1, 2009 titled "Increase Pressure," produced by S. Donziger and bearing the Bates number DONZ00081621.

442. Attached hereto as Exhibit CU is a true and correct copy of an email dated March 27, 2009 from S. Donziger to R. DeLeon with the subject "check this out," produced by S. Donziger and bearing the Bates number DONZS00002852.

443. Attached hereto as Exhibit CV is a true and correct copy of an email dated March 29, 2009 from S. Donziger to J. Kohn with the subject "latest memo for Cuomo," produced by S. Donziger and bearing the Bates number DONZ00086585.

444. Attached hereto as Exhibit CW is a true and correct copy of an email dated April 23, 2009 from Google Calendar to S. Donziger with the subject "Daily Agenda for Steven Donziger as of 5:26am" produced by S. Donziger and bearing the Bates number DONZ00097985.

445. Attached hereto as Exhibit CX is a true and correct copy of an email dated April 24, 2009 from S. Donziger to J. Kohn with the subject "update," produced by S. Donziger and bearing the Bates number DONZ00130390.

446. Attached hereto as Exhibit EU is a true and correct copy of a document last saved on January 4, 2009 with the subject "Three-month plan," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0101567.

447. Attached hereto as Exhibit DV is a true and correct copy of an email dated February 13, 2009 from S. Donziger to B. Barnes, S. Moorhead, and P. Thomasson with the subject "DeNapoli info/instructions for Ben," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0364941.

448. Attached hereto as Exhibit EV is a true and correct copy of an email dated January 25, 2009 from K. Hinton to S. Donziger with the subject "Re: Questions for Cuomo to ask," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0101564.

449. Attached hereto as Exhibit EW is a true and correct copy of an email dated June 22, 2009 from S. Donziger to K. Hinton with the subject "Re: Opeds," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0091355.

450. Attached hereto as Exhibit CY is a true and correct copy of an email dated April 2, 2009 from S. Donziger to S. Martin, S. Moorhead, and K. Caperton with the subject "draft ltr for Cuomo," produced by S. Donziger and bearing the Bates number DONZ00030864.

451. Attached hereto as Exhibit DW is a true and correct copy of an email dated April 3, 2009 from S. Donziger to M. Anderson and A. Woods with the subject "Re: Spoke with Amnesty..." produced by S. Donziger and bearing the Bates number DONZ00030870.

452. Attached hereto as Exhibit CZ is a true and correct copy of an email dated April 13, 2009 from K. Hinton to M. Anderson, S. Donziger, and A. Woods with the subject "Re: Amnesty Letter to Cuomo," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0101539.

453. Attached hereto as Exhibit DA is a true and correct copy of an email dated May 5, 2009 from G. Fine to S. Donziger with the subject "Re: urgent/possible change of plans," produced by S. Donziger and bearing the Bates number DONZ00129154.

454. Attached to the Feb. 3 Hendricks Decl. as Exhibit 271 (Dkt. 47-33) is a true and correct copy of a letter dated May 4, 2009 from New York Attorney General Andrew Cuomo to Chevron CEO David O'Reilly.

455. Attached hereto as Exhibit DX is a true and correct copy of a letter dated May 4, 2009 from New York Attorney General A. Cuomo to Chevron CEO D. O'Reilly, produced by S. Donziger and bearing the Bates number DONZ00017788.

456. Attached hereto as Exhibit EY is a true and correct copy of an email dated May 5, 2009 from S. Donziger to K. Hinton with the subject "Re: Cuomo letter," produced by S. Donziger and bearing the Bates number DONZ00030903

457. Attached hereto as Exhibit EZ is a true and correct copy of an email dated May 5, 2009 from K. Hinton to S. Donziger with the subject "Re: Bob McCarty," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0099491.

458. Attached to the Feb. 3 Hendricks Decl. as Exhibit 272 (Dkt. 47-34) is a true and correct copy of an OILGRAM NEWS article entitled, "Concerns Grow in Chevron-Ecuador Suit," dated May 26, 2009.

d. The Conspirators Attempt to Manipulate Chevron's Stock Price to Coerce a Favorable Settlement

459. Attached hereto as Exhibit AJ is a true and correct copy of a memorandum dated November 19, 2003 from S. Donziger to Team with the subject "Strategic Planning Memo/Ecuador Case," produced by S. Donziger and bearing the Bates number DONZ00084014.

460. Attached to the Feb. 3 Hendricks Decl. as Exhibit 273 (Dkt. 47-35) is a true and correct copy of a press release issued by Amazon Defense Coalition / Frente de Defensa de la Amazonia entitled Amazon Watch Campaign, *available at* <http://chevrontoxico.com/about/amazon-watch-campaign/>.

461. Attached hereto as Exhibit AK is a true and correct copy of a memorandum dated August 13, 2008 from G. Erion and A. Taylor to S. Donziger with the subject "Future Securities Strategy Against Chevron Corporation ('Chevron')," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0147956.

462. Attached hereto as Exhibit DY is a true and correct copy of an email dated August 20, 2008 from G. Erion to S. Donziger and A. Taylor with the subject "Securities Law Strategy – UPDATE," produced by S. Donziger and bearing the Bates number DONZ00047467.

463. Attached to the Feb. 3 Hendricks Decl. as Exhibit 274 (Dkt. 47-36) is a true and correct copy of a press release issued by Amazon Defense Coalition / Frente de Defensa de la Amazonia entitled, "Chevron Blasted for Misconduct and Corruption in Ecuador Trial," dated February 13, 2009, *available at* http://www.amazonwatch.org/newsroom/view_news.php?id=1714.

464. Attached to the Feb. 3 Hendricks Decl. as Exhibit 275 (Dkt. 47-37) is a true and correct copy of the Amazon Watch press release, entitled "Chevron Desperation, Evidence Tampering, and Insults to Indigenous Culture Growing in Ecuador Trial," dated December 21, 2010, available at <http://www.texacotoxico.org/eng/node/424>[1/25/2011 12:32:18 PM].

465. Attached to the Feb. 3 Hendricks Decl. as Exhibit 276 (Dkt. 47-38) is a true and correct copy of the Amazon Watch Letter to Shareholders, dated May 25, 2009, *available at* <http://chevrontoxico.com/news-and-multimedia/2009/0525-amazon-watch-letter-to-shareholders.html>.

466. Attached hereto as Exhibit DB is a true and correct copy of an email dated May 12, 2009 from W. Featherston to A. Woods with the subject "RE: Available times next week," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0233066.

467. Attached hereto as Exhibit DC is a true and correct copy of an email dated May 27, 2009 from S. Donziger to D. Orlow with the subject "Fwd: FW:," produced by S. Donziger and bearing the Bates number DONZ00086715.

468. Attached hereto as Exhibit DD is a true and correct copy of an email dated July 24, 2009 from K. Hinton to S. Donziger and A. Woods with the subject "Analysts," produced by S. Donziger and bearing the Bates number DONZ00029195.

469. Attached to the Feb. 3 Hendricks Decl. as Exhibit 277 (Dkt. 47-39) is a true and correct copy of an email dated May 12, 2009 from A. Woods to S. Donziger, William Featherston, Managing Director at UBS Investment Research, and others at UBS with the subject, "Available times next week," produced by S. Donziger and bearing the Bates number DONZ00017797.

470. Attached to the Feb. 3 Hendricks Decl. as Exhibit 278 (Dkt. 47-40) is a true and correct copy of a press release issued by Amazon Defense Coalition / Frente de Defensa de la Amazonia entitled, "Chevron Falls Short On Disclosure Obligations Relating to \$27 Billion Ecuador Liability, Says Investor Advisory Group," dated May 26, 2009, *available at* <http://chevrontoxico.com/news-and-multimedia/2009/0526-chevron-falls-short-on-disclosure-obligations-relating-to-27-billion-ecuador-liability-says-i.html>.

471. Attached to the Feb. 3 Hendricks Decl. as Exhibit 279 (Dkt. 47-41) is a true and correct copy of a press release issued by Amazon Watch / Frente de Defensa de la Amazonia entitled, "Chevron Management Dealt Major Blow with CalPERS Announcement on Ecuador," dated May 21, 2009, *available at* <http://chevrontoxico.com/news-and-multimedia/2009/0521-chevron-management-dealt-major-blow-with-calpers-announcement-on-ecuador.html>.

472. Attached hereto as Exhibit DE is a true and correct copy of an email dated May 8, 2009 from S. Donziger to D. Orlow with the subject "Re: E&O and D&O," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0352789.

473. Attached to the Feb. 3 Hendricks Decl. as Exhibit 280 (Dkt. 47-42) is a true and correct copy of a press release issued by Amazon Watch entitled, "Chevron Investors Urged To Freeze Purchase of Company Stock Because of Ecuador Disaster," dated October 24, 2007, *available at* http://www.amazonwatch.org/newsroom/view_news.php?id=1486.

474. Attached hereto as Exhibit DF is a true and correct copy of an email dated July 21, 2006 from S. Donziger to C. Lehane with the subject "Re: FCPA," produced by S. Donziger and bearing the Bates number DONZ00129921.

475. Attached hereto as Exhibit DG is a true and correct copy of a letter dated April 11, 2007 from Amazon Watch to Chevron shareholders, produced by S. Donziger and bearing the Bates number DONZ00007151.

476. Attached to the Feb. 3 Hendricks Decl. as Exhibit 281 (Dkt. 47-43) is a true and correct copy of a press release issued by Amazon Watch entitled, "New Questions About Chevron CEO in Wake of Arrests, Shareholder Defiance, at Annual Meeting," dated May 27, 2010, *available at* <http://chevrontoxico.com/news-and-multimedia/2010/0527-new-questions-about-chevron-ceo.html>.

477. Attached hereto as Exhibit DH is a true and correct copy of an email dated April 24, 2007 from M. Brune to S. Tegel with the subject "RE: Weds media," produced by S. Donziger and bearing the Bates number DONZ00088856.

478. Attached hereto as Exhibit DZ is a true and correct copy of an undated document entitled "Internal Schedule of Events for 2005 Shareholders Meeting and Mobilization CVX: Clean Up Ecuador Campaign," produced by S. Donziger and bearing the Bates number DONZ00079766.

479. Attached hereto as Exhibit EA is a true and correct copy of an email dated September 28, 2004 from L. Salazar-Lopez to S. Donziger with the subject "Travel to Ecuador...", recovered from S. Donziger's hard drives and bearing the Bates number DONZ-HDD-0057406.

480. Attached hereto as Exhibit EB is a true and correct copy of an email dated February 21, 2006 from S. Donziger to S. Alpern with the subject "Re: Letter to SEC," produced by S. Donziger and bearing the Bates number DONZ00017215.

481. Attached hereto as Exhibit EC is a true and correct copy of an email dated January 8, 2009 from S. Donziger to A. Woods with the subject "issue w checks," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0353906.

482. Attached hereto as Exhibit ED is a true and correct copy of a New York State Board of Elections Financial Disclosure Report for DiNapoli 2014 for the January 2009 period.

483. Attached hereto as Exhibit EE is a true and correct copy of a New York State Board of Elections Financial Disclosure Report for DiNapoli 2014 for the July 2009 period.

484. Attached hereto as Exhibit EF is a true and correct copy of an email dated March 30, 2010 from S. Alpern to S. Donziger with the subject "Investor statement to-do items," produced by S. Donziger and bearing the Bates number DONZ00103094.

485. Attached hereto as Exhibit EG is a true and correct copy of an email dated April 18, 2010 from M. Anderson to S. Donziger with the subject "Fwd: Latest Version of Investor Statement," produced by S. Donziger and bearing the Bates number DONZ00103271.

486. Attached hereto as Exhibit EX is a true and correct copy of an email dated February 7, 2007 from J. DeLury Ciplet to S. Donziger with the subject "Re: N.Y. Assembly

Democrats Settle on Comptroller,” recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0099646.

487. Attached hereto as Exhibit EP is a true and correct copy of an email dated December 1, 2008 from S. Donziger to B. Barnes, K. Caperton, J. Sharp, S. Moorhead, K. Hinton, A. Woods, S. Martin, and W. Wiedeman with the subject “state treasurers – important,” recovered from S. Donziger’s hard drives and bearing the Bates number WOODS-HDD-0266992.

488. Attached hereto as Exhibit EQ is a true and correct copy of an email dated January 5, 2009 from S. Martin to S. Donziger with the subject “DiNapoli Contribution,” produced by S. Donziger and bearing the Bates number DONZ00095954

489. Attached to the Feb. 3 Hendricks Decl. as Exhibit 282 (Dkt. 47-44) is a true and correct copy of an email dated December 1, 2008 from M. Anderson of Amazon Watch to D. Beltman, S. Donziger, and others with the subject, “2009 Shareholder Resolution – Urgent Update,” produced by Stratus and bearing the Bates numbers STRATUS07092010 000001 – 07092010 000002.

490. Attached to the Feb. 3 Hendricks Decl. as Exhibit 283 (Dkt. 47-45) is a true and correct copy of a letter dated December 2, 2008 from Patrick Doherty, City of New York, Office of the Comptroller, to Lydia Beebe, Corporate Secretary and Chief Governance Officer of Chevron, enclosing “Stockholder Proposal: Report on Global Environmental Standards.”

491. Attached to the Feb. 3 Hendricks Decl. as Exhibit 284 (Dkt. 47-46) is a true and correct copy of a press release issued by Amazon Defense Coalition / Frente de Defensa de la Amazonia entitled, “SEC Rejects Chevron Attempt to Block Shareholder Resolution on Ecuador

Environment Case,” dated April 8, 2009, *available at* <http://chevrontoxico.com/news-and-multimedia/2009/0408-sec-rejects-chevron-attempt-to-block-shareholder-resolution.html>.

492. Attached to the Feb. 3 Hendricks Decl. as Exhibit 285 (Dkt. 47-47) is a true and correct copy of an article by Liam Denning entitled, “Chevron Ecuador Woes Mask Potential,” WALL STREET JOURNAL, dated July 24, 2009.

493. Attached hereto as Exhibit DI is a true and correct copy of an email dated May 4, 2009 from K. Hinton to S. Donziger and A. Woods with the subject “FW: 60 Minutes Exposes Chevron’s Destruction of Amazon Rainforest,” recovered from S. Donziger’s hard drives and bearing the Bates number WOODS-HDD-0100639.

494. Attached to the Feb. 3 Hendricks Decl. as Exhibit 286 (Dkt. 47-48) is a true and correct copy of an article by Jennifer Booton entitled, “Chevron Down as It Continues to Fight \$27B Environmental Lawsuit in Ecuador,” FOXBUSINESS, dated August 24, 2010, *available at* <http://thechevronpit.blogspot.com/2010/08/fox-news-chevron-shares-held-down-by.html>.

e. The RICO Defendants Falsely Accuse Chevron of Murder to Generate Outrage and Force Chevron to Pay

495. Attached to the Feb. 3 Hendricks Decl. as Exhibit 287 (Dkt. 47-49) is a true and correct copy of a translation of a statement dated November 4, 2004 of P. Fajardo to the District Attorney for Canton of Shushufindi.

496. Attached to the Feb. 3 Hendricks Decl. as Exhibit 288 (Dkt. 47-50) is a true and correct copy of a discussion with Xavier Lasso on Ecuador TV, dated April 22, 2008, and a certified English translation thereof.

497. Filed concurrently with the Feb. 3 Hendricks Decl. as Exhibit 5 (Dkt. 8-8) is a DVD with a true and correct copy of a video file of the discussion with Xavier Lasso on Ecuador TV, dated April 22, 2008.

498. Attached to the Feb. 3 Hendricks Decl. as Exhibit 289 (Dkt. 47-51) is a true and correct copy of an article entitled, “Chevron’s Future at Stake,” PUBLICO, dated August 24, 2009.

499. Attached to the Feb. 3 Hendricks Decl. as Exhibit 290 (Dkt. 47-52) is a true and correct copy of an article by Kenneth P. Vogel entitled, “Chevron’s lobbying campaign backfires,” Politico.com, dated November 16, 2009, *available at* <http://www.politico.com/news/stories/1109/29560.html>.

500. Attached to the Feb. 3 Hendricks Decl. as Exhibit 291 (Dkt. 47-53) is a true and correct copy of an article by William Langewiesche entitled, “Jungle Law,” VANITY FAIR, dated May 2007, *available at* <http://www.vanityfair.com/politics/features/2007/05/texaco200705>.

C. The Conspirators’ Campaign of Lies and Obstruction in U.S. Courts

1. Attempting to Obstruct Chevron’s Discovery Proceedings by Making False and Misleading Statements before U.S. District Courts and Courts of Appeals

501. Attached to the Feb. 3 Hendricks Decl. as Exhibit 292 (Dkt. 47-54) is a true and correct copy of an email chain dated May 27, 2010 among S. Donziger, lawyers from Donziger & Associates, lawyers from Emery Celli, lawyers from Patton Boggs, and lawyers from Motley Rice, with the subject, “Mini-revelation,” produced by S. Donziger and bearing the Bates number DONZ00031337.

502. Attached to the Feb. 3 Hendricks Decl. as Exhibit 293 (Dkt. 47-55) is a true and correct copy of an email chain dated June 15, 2010 among S. Donziger, and lawyers from Emery Celli, lawyers from Patton Boggs, and lawyers from Motley Rice with the subject, “Final Proposed Draft,” produced by S. Donziger and bearing the Bates number DONZ00031368.

a. The RICO Defendants' Initial False Representations to U.S. Courts That They Had No Relationship With Cabrera and No Role in Preparing the "Cabrera Report"

503. Attached hereto as Exhibit AL is a true and correct copy of a January 29, 2010 document titled "Respuestas.Depositions" ["Deposition Answers"], recovered from S. Donziger's hard drives and bearing the Bates number DONZ-HDD-0008987.

504. Attached to the Feb. 3 Hendricks Decl. as Exhibit 294 (Dkt. 47-56) is a true and correct copy of the Response of the Ecuadorian Plaintiffs, Uhl, Baron, Rana & Associates, Inc., and Juan Cristóbal Villao Yopez to Order to Show Cause and Opposition to Chevron Corporation's Application for an Order Pursuant to 28 U.S.C. § 1782 to Conduct Discovery, filed on June 7, 2010 in *In re Application of Chevron Corp.*, No. 2:10-cv-02675 (SRC) (MAS) (D.N.J.).

505. Attached to the Feb. 3 Hendricks Decl. as Exhibit 295 (Dkt. 47-57) is a true and correct copy of the Lago Agrio Plaintiffs' Response in Opposition to Chevron's Fed. R. Civ. P. 72(a) Objections, filed on July 9, 2010 in *Chevron Corp. v. Stratus Consulting, Inc.*, No. 1:10-cv-00047-MSK-MEH (D. Colo.).

506. Attached to the Feb. 3 Hendricks Decl. as Exhibit 296 (Dkt. 47-58) is a true and correct copy of an email chain dated April 23, 2010 among S. Donziger, Eric Westenberger of Patton Boggs, and Jonathan Abady, Andrew Wilson, and Ilann Maazel of Emery Celli, with the subject, "Colorado Update," produced by S. Donziger and bearing the Bates number DONZ00031206.

507. Attached to the Feb. 3 Hendricks Decl. as Exhibit 297 (Dkt. 47-59) is a true and correct copy of an email dated May 14, 2008 from D. Beltman to D. Chapman, J. Peers, and others with the subject, "Ecuador project meetings here on May 29-30," produced by Stratus and bearing the Bates number STRATUS-NATIVE044489.

508. Attached to the Feb. 3 Hendricks Decl. as Exhibit 298 (Dkt. 47-60) is a true and correct copy of an email chain dated October 3, 2007 between D. Beltman, J. Harvey, A. Maest, J. Lipton, and others with the subject, "SOW and budget," produced by Stratus and bearing the Bates number STRATUS-NATIVE043259.

509. Attached to the Feb. 3 Hendricks Decl. as Exhibit 299 (Dkt. 47-61) is a true and correct copy of an email chain dated January 29, 2008 among D. Beltman, A. Maest, and E. English with the subject, "Rainforest Literature," produced by Stratus and bearing the Bates number STRATUS-NATIVE053671.

510. Attached hereto as Exhibit AM is a true and correct copy of portions of the transcript of the deposition of Douglas Beltman, taken on December 2, 2010 in *In re Application of Pallares*, 10-cv-02528-PAB-MEH (D. Colo.).

511. Attached to the Feb. 3 Hendricks Decl. as Exhibit 300 (Dkt. 47-62) is a true and correct copy of the transcript of a hearing held on April 27, 2010 in *Chevron Corp. v. Stratus Consulting, Inc.*, No. 1:10-cv-00047-MSK-MEH (D. Colo.).

512. Attached hereto as Exhibit AN is a true and correct copy of portions of the transcript of the deposition of Douglas Beltman, taken on October 6, 2010 in *Chevron Corp. v. Stratus Consulting, Inc.*, 1:10-cv-00047-MSK-MEH (D. Colo.).

513. Attached to the Feb. 3 Hendricks Decl. as Exhibit 301 (Dkt. 47-63) is a true and correct copy of Stratus's Status Report, filed on May 18, 2010 in *Chevron Corp. v. Stratus Consulting, Inc.*, No. 1:10-cv-00047-MSK-MEH (D. Colo.).

514. Attached to the Feb. 3 Hendricks Decl. as Exhibit 302 (Dkt. 47-64) is a true and correct copy of an email dated November 10, 2010 from M. Severson to J. Sabovich with the subject, "Draft Protocol."

515. Attached to the Feb. 3 Hendricks Decl. as Exhibit 303 (Dkt. 47-65) is a true and correct copy of an email chain dated September 8, 2010 between S. Donziger and lawyers from Patton Boggs with the subject, “California – Powers,” produced by S. Donziger and bearing the Bates number DONZ00031586.

516. Attached to the Feb. 3 Hendricks Decl. as Exhibit 304 (Dkt. 47-66) is a true and correct copy of the Order Granting Application for an Order Pursuant to 28 U.S.C. § 1782 to Conduct Discovery for Use in Foreign Proceedings, issued on June 15, 2010 in *In re Application of Chevron Corp.*, No. 2:10-cv-02675 (SRC) (D.N.J.).

517. Attached to the Feb. 3 Hendricks Decl. as Exhibit 305 (Dkt. 48-2) is a true and correct copy of the Brief for Appellants UBR and Ecuadorian Plaintiffs, submitted on July 30, 2010, in *In re Application of Chevron Corp.*, No. 10-2815 (3d Cir.).

518. Attached to the Feb. 3 Hendricks Decl. as Exhibit 306 (Dkt. 48-3) is a true and correct copy of an email chain dated October 23, 2007 among S. Donziger, P. Fajardo, L. Yanza, and Cristobal Villao with the subject “informe agua potable espanol,” produced by S. Donziger and bearing the Bates number DONZ00021063.

519. Attached to the Feb. 3 Hendricks Decl. as Exhibit 307 (Dkt. 48-4) is a true and correct copy of an email chain dated July 19, 2010 among S. Donziger, Andrew Woods of Donziger and Associates, and Andrew Wilson, Jonathan Abady, and Ilann Maazel of Emery Celli with the subject, “urgent -- does this pass muster for a journalist about New Jersey case?,” produced by S. Donziger and bearing the Bates number DONZ00031398.

520. Attached to the Feb. 3 Hendricks Decl. as Exhibit 308 (Dkt. 48-5) is a true and correct copy of an email chain dated May 5, 2010 among S. Donziger, lawyers from Emery

Celli, lawyers from Patton Boggs, and others with the subject, “aguinda litigation,” produced by S. Donziger and bearing the Bates number DONZ00031278.

521. Attached to the Feb. 3 Hendricks Decl. as Exhibit 309 (Dkt. 48-6) is a true and correct copy of an email chain dated May 4, 2010 among S. Donziger, Andrew Wilson of Donziger and Associates, lawyers from Emery Celli, and lawyers from Patton Boggs with the subject, “Fajardo Declaration,” produced by S. Donziger and bearing the Bates number DONZ00031261.

522. Attached hereto as Exhibit AO is a true and correct copy of a letter dated April 17, 2010 from S. Donziger to “Fellow Counsel,” recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0004621.

523. Attached to the Feb. 3 Hendricks Decl. as Exhibit 310 (Dkt. 48-7) is a true and correct copy of a memorandum dated May 24, 2010 from J. McDermott to S. Donziger regarding, “Steven Donziger,” produced by S. Donziger and bearing the Bates number DONZ00056918.

524. Attached to the Feb. 3 Hendricks Decl. as Exhibit 311 (Dkt. 48-8) is a true and correct copy of a memorandum dated February 21, 2010 from S. Donziger to J. McDermott and others regarding, “Response to Chevron 1782 Motion,” produced by S. Donziger and bearing the Bates number DONZ00048987.

525. Attached to the Feb. 3 Hendricks Decl. as Exhibit 312 (Dkt. 48-9) is a true and correct copy of an email chain dated March 21, 2010 between S. Donziger and John McDermott with the subject, “Chevron v. Stratus,” produced by S. Donziger and bearing the Bates number DONZ00031129.

526. Attached to the Feb. 3 Hendricks Decl. as Exhibit 313 (Dkt. 48-10) is a true and correct copy of an email chain dated March 29, 2010 among S. Donziger, A. Page, and others with the subject, “latest drafts of motion and affidavit,” produced by S. Donziger and bearing the Bates number DONZ00067627.

b. The RICO Defendants’ Subsequent False and Misleading Statements in an Attempt to Justify and Excuse Their Emerging Misconduct

527. Attached to the Feb. 3 Hendricks Decl. as Exhibit 314 (Dkt. 48-11) is a true and correct copy of an email dated April 1, 2010 from A. Woods to S. Donziger with the subject, “Rick’s latest email,” with an attachment entitled, “WoodsAffidavit.pdf,” produced by S. Donziger and bearing the Bates number DONZ00055241.

528. Attached to the Feb. 3 Hendricks Decl. as Exhibit 315 (Dkt. 48-12) is a true and correct copy of an email dated April 5, 2010 from A. Woods to A. Page, Rick Kornfeld, and copying S. Donziger with subject, “motion and affidavits,” produced by S. Donziger and bearing the Bates number DONZ00055339.

529. Attached to the Feb. 3 Hendricks Decl. as Exhibit 316 (Dkt. 48-13 through 48-14) is a true and correct copy of the Declaration of Pablo Fajardo Mendoza, dated May 5, 2010, filed by the Lago Agrio Plaintiffs (or Ecuadorian Plaintiffs) in support of their Motion for a Protective Order in *Chevron Corp. v. Stratus Consulting, Inc.*, No. 1:10-cv-00047-MSK-MEH (D. Colo.).

530. Attached to the Feb. 3 Hendricks Decl. as Exhibit 317 (Dkt. 48-15) is a true and correct copy of the Ecuadorian Plaintiffs’ Reply Memorandum of Points and Authorities in Further Support of Motion for a Protective Order, filed on May 17, 2010 in *Chevron Corp. v. Stratus Consulting, Inc.*, No. 1:10-cv-00047-MSK-MEH (D. Colo.).

531. Attached to the Feb. 3 Hendricks Decl. as Exhibit 318 (Dkt. 48-16) is a true and correct copy of email chain among A. Wilson, S. Donziger, J. Abady, and others with the

subject, “need preliminary review,” and attachment entitled “Fajardo Letter,” produced by S. Donziger and bearing the Bates numbers DONZ00055883 – DONZ0005584.

532. Attached hereto as Exhibit AP is a true and correct copy of an email dated March 31, 2008 from S. Donziger with the subject “table,” recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0032998.

533. Attached to the Feb. 3 Hendricks Decl. as Exhibit 319 (Dkt. 48-17) is a true and correct copy of the Ecuadorian Plaintiffs’ Opposition to the Chevron Applicants’ Application for Discovery Under 28 U.S.C. § 1782, filed on December 8, 2010 in *In re Application of Chevron Corp.*, No. 10-MC-209-JD (E.D. Pa.).

534. Attached hereto as Exhibit AQ is a true and correct copy of portions of the transcript of the deposition of Ann S. Maest, taken on December 8, 2010 in *In re Application of Pallares*, 10-cv-02528-PAB-MEH (D. Colo.).

535. Attached to the Feb. 3 Hendricks Decl. as Exhibit 320 (Dkt. 48-18) is a true and correct copy of the Ecuadorian Plaintiffs’ Memorandum of Points and Authorities in Support of Motion for a Protective Order in Connection with Subpoenas Issued to the Ecuadorian Plaintiffs’ Non-Testifying Litigation Consultants Pursuant to 28 U.S.C. § 1782, filed on May 5, 2010 in *Chevron Corp. v. Stratus Consulting, Inc.*, No. 1:10-cv-00047-MSK-MEH (D. Colo.).

536. Attached to the Feb. 3 Hendricks Decl. as Exhibit 321 (Dkt. 48-19) is a true and correct copy of the Declaration of Andrew G. Neidl, filed by the Lago Agrio Plaintiffs in support of their Motion for a Protective Order on May 5, 2010, in *Chevron Corp. v. Stratus Consulting, Inc.*, No. 1:10-cv-00047-MSK-MEH (D. Colo.).

537. Attached hereto as Exhibit AR is a true and correct copy of an email dated July 22, 2010 from E. Westenberger to S. Donziger with the subject "Ecuador Filing," produced by S. Donziger and bearing the Bates number DONZ00058111.

538. Attached hereto as Exhibit AS is a true and correct copy of an email from A. Woods dated March 18, 2010 attaching a memorandum from A. Woods to File with the subject "Conversation with Steven Donziger regarding Constantine Cannon's decision to not participate in case," recovered from S. Donziger's hard drives and bearing the Bates number WOODS-HDD-0210540.

539. Attached hereto as Exhibit AT is a true and correct copy of a memorandum dated March 22, 2010 from S. Donziger to File with the subject "Denver action/ethical issues," recovered from S. Donziger's hard drives and bearing the Bates number DONZ-HDD-0008520.

540. Attached to the Feb. 3 Hendricks Decl. as Exhibit 322 (Dkt. 48-20) is a true and correct copy of an email chain dated September 22, 2010 between S. Donziger and Ilann Maazel of Emery Celli with the subject, "crime fraud legal point," produced by S. Donziger and bearing the Bates number DONZ00031628.

541. Attached to the Feb. 3 Hendricks Decl. as Exhibit 323 (Dkt. 48-21) is a true and correct copy of an email chain dated May 27, 2010 among S. Donziger, lawyers from Emery Celli, and lawyers from Motley Rice with the subject, "Ecuador/Texas: Foundational Dep Ordered," produced by S. Donziger and bearing the Bates number DONZ00031335.

542. Attached hereto as Exhibit AU is a true and correct copy of an email dated December 23, 2009 from G. Fine to S. Donziger with the subject "Re: read this and let's talk tomorrow," produced by S. Donziger and bearing the Bates number DONZ00129504.

543. Attached hereto as Exhibit AV is a true and correct copy of an email dated April 5, 2010 from S. Donziger to J. Prieto, P. Fajardo, J. Saenz, A. Page, and L. Yanza with the subject “Re: sugerencia” [“Re: Suggestion”], produced by S. Donziger and bearing the Bates number DONZ00031148, and a certified English translation thereof.

544. Attached to the Feb. 3 Hendricks Decl. as Exhibit 324 (Dkt. 48-22) is a true and correct copy of a transcript of a hearing held on June 17, 2010 in *In re Application of Chevron Corp.*, No. 10-2675 (SRC) (MAS) (D.N.J.).

545. Attached to the Feb. 3 Hendricks Decl. as Exhibit 325 (Dkt. 48-23) is a true and correct copy of the Order dated August 30, 2010 granting discovery under 28 U.S.C. § 1782 and overruling the Lago Agrio Plaintiffs’ privilege objections, issued in *Chevron Corp. v. Champ*, Nos. 1:10 mc 27, 1:10 mc 28-GCM-DLH (W.D.N.C.).

546. Attached to the Feb. 3 Hendricks Decl. as Exhibit 326 (Dkt. 48-24) is a true and correct copy of the Amended Memorandum Opinion and Order Authorizing Discovery from Richard Kamp and E-Tech International, issued on September 2, 2010, in *In re Application of Chevron Corp.*, Nos. 10-MC-21, 10-MC-22-JCH-LFG (D.N.M.).

547. Attached to the Feb. 3 Hendricks Decl. as Exhibit 327 (Dkt. 48-25) is a true and correct copy of an Order dated September 10, 2010, denying William Powers’ and the Lago Agrio Plaintiffs’ appeal of the magistrate judge’s order, issued in *In re Application of Chevron*, No. 10-CV-1146 (IEG) (S.D. Cal.).

548. Attached hereto as Exhibit AW is a true and correct copy of an order dated February 11, 2011 entitled “Order Re: Discovery Relating to Emails and Metadata,” *In re Application of Chevron Corp.*, No. 3:10-cv-01146-IEG-WMC (S.D. Cal.).

549. Attached to the Feb. 3 Hendricks Decl. as Exhibit 328 (Dkt. 48-26) is a true and correct copy of a Memorandum Opinion and Order Rejecting Claims of Attorney-Client Privilege and Ordering Production of Documents, issued on September 13, 2010 in *In re Chevron Corp.*, Nos. 10-MC-21, 10-MC-22-JCH-LFG (D.N.M.)

2. Making False Statements to Deceive New York Courts in Connection With Chevron's Section 1782 Applications and Other Actions

550. Attached to the Feb. 3 Hendricks Decl. as Exhibit 329 (Dkt. 48-27) is a true and correct copy of the Memorandum of Law by the Lago Agrio Plaintiffs in Opposition to Application for an Order Pursuant to 28 U.S.C. § 1782 to Conduct Discovery for Use in Foreign Proceedings, filed on April 23, 2010 in *In re Application of Chevron*, No. M-19-111 (S.D.N.Y.).

551. Attached to the Feb. 3 Hendricks Decl. as Exhibit 330 (Dkt. 48-28) is a true and correct copy of the Brief and Special Appendix for Respondent-Appellant Lago Agrio Plaintiffs, filed on June 14, 2010 in *Chevron Corp. v. Berlinger*, 10-1918-cv(L), 10-1966-cv(CON) (2d Cir.).

552. Attached to the Feb. 3 Hendricks Decl. as Exhibit 331 (Dkt. 48-29) is a true and correct copy of an email dated May 7, 2007 from P. Fajardo to C. Beristain, S. Donziger, and others with subject, "CALENDARIO DE REUNIONES" ["MEETING CALENDAR"], with attachment entitled, "PLAN DE REUNIONES CON C" ["Plan for Meetings with C"], and certified English translation thereof.

553. Attached to the Feb. 3 Hendricks Decl. as Exhibit 332 (Dkt. 48-30) is a true and correct copy of an email dated July 15, 2007 from I. Maazel to S. Donziger and E. Westenberger with subject, "2d Circuit order," produced by S. Donziger and bearing the Bates number DONZ00057972.

554. Attached hereto as Exhibit AX is a true and correct copy of a filing dated June 21, 2006 submitted by the Republic of Ecuador and Petroecuador, entitled, "Plaintiffs' Notice of Motion to Amend Reply," *Republic of Ecuador v. ChevronTexaco Corp.*, 04-cv-8378-LBS (S.D.N.Y.).

555. Attached hereto as Exhibit AY is a true and correct copy of an email dated September 4, 2006 from G. De Heredia to S. Donziger with the subject "Witness waits for instructions," recovered from S. Donziger's hard drives and bearing the Bates number DONZ-HDD-0086482, and a certified English translation thereof.

3. Obstructing Judicial Proceedings by Tampering With Witnesses, Withholding Documents, and Making False Statements to This Court

556. Attached to the Feb. 3 Hendricks Decl. as Exhibit 333 (Dkt. 48-31) is a true and correct copy of a true and correct copy of the Declaration of Mark Anthony Quarles, P.G., dated September 17, 2007, filed in *Republic of Ecuador v. ChevronTexaco Corp.*, 04 Civ. 8378 (LBS) (S.D.N.Y.).

557. Attached to the Feb. 3 Hendricks Decl. as Exhibit 334 (Dkt. 48-32) is a true and correct copy of portions of the transcript of the deposition of Mark Quarles, taken on September 1, 2010, in *In re Application of Chevron Corp.*, No. 3:10-cv-00686 (M.D. Tenn.).

558. Attached to the Feb. 3 Hendricks Decl. as Exhibit 335 (Dkt. 48-33) is a true and correct copy of email dated September 16, 2007 from S. Donziger to M. Quarles with the subject, "your affidavit edited," and an attachment entitled, "Affidavit Quarles Crabrera [sic] Plan DRAFT 0912071[1]," produced by S. Donziger and bearing the Bates range DONZ00063081 – DONZ00063082.

559. Attached to the Feb. 3 Hendricks Decl. as Exhibit 336 (Dkt. 48-34) is a true and correct copy of an order issued by Judge Kaplan dated December 27, 2010 in *In re Application of Chevron Corp.*, No. 10 MC 00002 (LAK) (S.D.N.Y.).

560. Attached hereto as Exhibit AZ is a true and correct copy of an email dated January 28, 2011 from T. Haggerty to K. Hendricks with the subject "Re: Hard Drives."

561. Attached hereto as Exhibit BA is a true and correct copy of a declaration dated February 1, 2011 entitled "Second Supplemental Declaration of Michael F. McGowan in Further Support of Chevron Corporation's Application By Order to Show Cause to Hold Steven Donziger in Contempt of This Court's Orders to Produce All Responsive Documents 'Forthwith,'" filed in *In re Application of Chevron Corp.*, 10-mc-00002 (LAK) (S.D.N.Y.).

D. Chevron Has Suffered Substantial Damages as a Result of the RICO Defendants' Conspiracy, and Enforcement of the Corrupt Judgment in the Lago Agrio Litigation Would Deepen the Harm

562. Attached hereto as Exhibit EL is a true and correct copy of portions of the English translation of *Estimated Cost of Delivering Health Care to the Affected Population of the Concession Area of Ecuador* by Carlos E. Picone, M.D., F.C.C.P., Appendix C to the September 16, 2010 filing in the Lago Agrio Litigation by Plaintiffs, as provided at <http://chevrontoxico.com/news-and-multimedia/2010/0917-summary-of-analysis-of-damages-to-ecuadors-amazon-basin.html>.

563. Attached hereto as Exhibit EM is a true and correct copy of portions of the English translation of *Environmental Damages Valuation* by Douglas C. Allen, P.A., Appendix A to the September 16, 2010 filing in the Lago Agrio Litigation by Plaintiffs, as provided at <http://chevrontoxico.com/news-and-multimedia/2010/0917-summary-of-analysis-of-damages-to-ecuadors-amazon-basin.html>.

564. Attached hereto as Exhibit BB is a true and correct copy of a declaration dated February 15, 2011 entitled “Declaration By Dr. César Coronel Jones,” and filed in *Chevron Corp. v. Donziger*, 11-cv-0691 (LAK) (S.D.N.Y.), Dkt. 95, and a certified English translation thereof.

565. Attached hereto as Exhibit DJ is a true and correct copy of a memorandum dated April 22, 2007 from S. Donziger to J. Kohn with the subject “Ecuador Work Plan,” produced by S. Donziger and bearing the Bates number DONZ00085215.

566. Attached hereto as Exhibit BC is a true and correct copy of a declaration dated March 1, 2011 entitled “Declaration of Michael L. Younger.”

567. Attached hereto as Exhibit BD is a true and correct copy of a declaration dated April 15, 2011 entitled “Supplemental Declaration of Michael L. Younger.”

568. Attached hereto as Exhibit BE is a true and correct copy of a declaration dated April 15, 2011 entitled “Declaration of Seth A. Leone.”

569. Attached hereto as Exhibit BF is a true and correct copy of a February 15, 2011 broadcast by Ecuadorian media Teleamazonas, and a certified English translation thereof.

570. Attached hereto as Exhibit BG is a true and correct copy of a request dated March 3, 2011 by Judge Benjamin Cevallos, replacing Judge Marco Yaguache with Judge Luis Legña on the Sucumbíos court, and a certified English translation thereof.

571. Attached hereto as Exhibit BH is a true and correct copy of a filing dated March 30, 2011 submitted by Chevron Corporation to the Lago Agrio court, and a certified English translation thereof.

572. Attached hereto as Exhibit BI is a true and correct copy of a document dated March 4, 2009 appointing Judge Toral to the Sucumbíos court, and a certified English translation thereof.

573. Attached hereto as Exhibit BJ is a true and correct copy of a document dated January 6, 2011 appointing Judge Orellana to the Sucumbios court, and a certified English translation thereof.

574. Attached hereto as Exhibit BK is a true and correct copy of a filing dated March 30, 2011 submitted by Pablo Fajardo to the Lago Agrio court, and a certified English translation thereof.

575. Attached hereto as Exhibit BL is a true and correct copy of a complaint dated February 21, 2011, asserting claims against Chevron Corporation, submitted on behalf of Celso Parra by Alejandro Orellana Pineda, and a certified English translation thereof.

576. Attached hereto as Exhibit BM is a true and correct copy of a presentation dated June 22, 2010 entitled “Burford Capital Aguinda Presentation June 22, 2010,” produced by S. Donziger and bearing the Bates number DONZ00129831.

577. Attached to the Feb. 3 Hendricks Decl. as Exhibit 337 (Dkt. 48-35) is a true and correct copy of an email chain dated August 28, 2010 among S. Donziger, James Tyrrell of Patton Boggs, and Christopher Bogart, Selvyn Seidel, and Jonathan Molot of Burford Group with the subject, “Burford proposal,” produced by S. Donziger and bearing the Bates numbers DONZ00036728 – 00036731.

578. Attached to the Feb. 3 Hendricks Decl. as Exhibit 338 (Dkt. 49-2) is a true and correct copy of the Order dated December 17, 2010 in the Lago Agrio Litigation, issuing the

autos para sentencia and declaring the evidence period concluded and requesting the record so that a judgment can be issued, and a certified English translation thereof.

579. Attached to the Feb. 3 Hendricks Decl. as Exhibit 339 (Dkt. 49-3) is a true and correct copy of the Plaintiffs' filing in the Lago Agrio case, dated December 15, 2010.

580. Attached to the Feb. 3 Hendricks Decl. as Exhibit 340 (Dkt. 49-4) is a true and correct copy of Lago Agrio Plaintiffs' Memorandum in Support of § 1782 Application filed on December 30, 2010 in *In re Application of Yaiguaje et al.*, No. CV 10-80-324-MISC (N.D. Cal.).

581. Attached to the Feb. 3 Hendricks Decl. as Exhibit 341 (Dkt. 49-5) is a true and correct copy of an undated memorandum prepared by Patton Boggs entitled, "Invictus – Path Forward: Securing and Enforcing Judgment and Reaching Settlement," produced by S. Donziger and bearing the Bates numbers DONZ00032520 – DONZ00032551.

582. Attached to the Feb. 3 Hendricks Decl. as Exhibit 342 (Dkt. 49-6) is a true and correct copy of a press release issued by Amazon Watch entitled, "Chevron Launches 'Dirty War' on Ecuador Court," dated July 4, 2007, *available at* <http://chevrontoxico.com/news-and-multimedia/2007/0704-chevron-launches-dirty-war-on-ecuador-court.html>.

583. Attached to the Feb. 3 Hendricks Decl. as Exhibit 343 (Dkt. 49-7) is a true and correct copy of a press release issued by Amazon Defense Coalition / Frente de Defensa de la Amazonia entitled, "New Evidence of Chevron Fraud from Final Judicial Inspections in \$27 Billion Environmental Case," dated June 24, 2009, *available at* <http://chevrontoxico.com/news-and-multimedia/2009/0624-new-evidence-of-chevron-fraud-from-final-judicial-inspections.html>.

584. Attached to the Feb. 3 Hendricks Decl. as Exhibit 344 (Dkt. 49-8) is a true and correct copy of an article by Fiona Smith entitled, "Chevron Case Comes to a Head," DAILY JOURNAL, dated April 22, 2010.

585. Attached hereto as Exhibit EH is a true and correct copy of a memorandum dated November 13, 2009 from L. Garr to S. Donziger and A. Woods with the subject “Enforcement of Foreign Judgment – Due Process,” recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0009297.

586. Attached hereto as Exhibit EI is a true and correct copy of a draft memorandum regarding the enforcement of judgments, recovered from S. Donziger’s hard drives and bearing the Bates number DONZ-HDD-0006549.

587. Attached to the Feb. 3 Hendricks Decl. as Exhibit 345 (Dkt. 49-9) is a true and correct copy of a transcript of a hearing held on March 11, 2010 in *Republic of Ecuador v. Chevron Corp.*, No. 09 CV 9958 (LBS) (S.D.N.Y.) and *Yaiguaje v. Chevron Corp.*, No. 10 CV 316 (LBS) (S.D.N.Y.).

588. Attached hereto as Exhibit BN is a true and correct copy of a transcript of a press conference held on February 14, 2011 by the Amazon Defense Front, and a certified English translation thereof.

589. Attached hereto as Exhibit BO is a true and correct copy of a transcript of a February 15, 2011 interview with Pablo Fajardo, and a certified English translation thereof.

ADDITIONAL EVIDENCE CITED IN APPENDIX B TO ANNOTATED COMPLAINT

590. Attached to the Feb. 3 Hendricks Decl. as Exhibit 346 (Dkt. 49-10) is a true and correct copy of an email chain dated January 27, 2005 among S. Donziger, C. Calmbacher, D. Russell, and others with the subject, “A Mexican Standoff?,” produced by S. Donziger and bearing the Bates number DONZ00026957.

591. Attached to the Feb. 3 Hendricks Decl. as Exhibit 347 (Dkt. 49-11) is a true and correct copy of an email chain dated March 3, 2005 between S. Donziger and C. Calmbacher

with the subject, “papers,” produced by S. Donziger and bearing the Bates number DONZ00026957.

592. Attached to the Feb. 3 Hendricks Decl. as Exhibit 348 (Dkt. 49-12) is a true and correct copy of an email dated August 8, 2007 from L. Yanza to S. Donziger with the subject, “vaca” [“vacation”], produced by S. Donziger and bearing the Bates number DONZ00024768, and a certified English translation thereof.

593. Attached to the Feb. 3 Hendricks Decl. as Exhibit 349 (Dkt. 49-13) is a true and correct copy of an email dated November 6, 2007 from D. Beltman to S. Donziger and J. Kohn, copying A. Maest, J. Peers of Stratus, and Eli Zlotnik and Randy Horsak of 3TM Consulting, with the subject, “Pit Cleanup Cost Estimate Report,” and attached report entitled, “Estimated Costs for Remediating Contaminated Waste Pits from oil Exploration and Production Activities in the Napo Concession, Ecuador,” produced by Stratus and bearing the Bates numbers STRATUS-NATIVE048765 – 048869.

594. Attached to the Feb. 3 Hendricks Decl. as Exhibit 350 (Dkt. 49-14) is a true and correct copy of an email dated January 23, 2008 from L. Aragon to D. Beltman and A. Maest, with the subject, “A couple of questions,” produced by Stratus and bearing the Bates numbers STRATUS07302010 000004.

595. Attached to the Feb. 3 Hendricks Decl. as Exhibit 351 (Dkt. 49-15) is a true and correct copy of an email dated January 29, 2008 from L. Yanza to S. Donziger with the subject, “DOS COSITAS” [“TWO SMALL THINGS”], produced by S. Donziger and bearing the Bates number DONZ00025754, and a certified English translation thereof.

596. Attached to the Feb. 3 Hendricks Decl. as Exhibit 352 (Dkt. 49-16) is a true and correct copy of an email dated February 29, 2008 from D. Beltman to A. Maest and J. Peers with

the subject, “annexes,” produced by Stratus and bearing the Bates number STRATUS-NATIVE057763.

597. Attached to the Feb. 3 Hendricks Decl. as Exhibit 353 (Dkt. 49-17) is a true and correct copy of an email dated March 1, 2008 from D. Beltman to Michael Carney of Stratus with the subject, “eco risk annex,” produced by Stratus and bearing the Bates number STRATUS-NATIVE059357.

598. Attached to the Feb. 3 Hendricks Decl. as Exhibit 354 (Dkt. 49-18) is a true and correct copy of an email chain dated March 5, 2008 among D. Beltman, D. Mills, and other Stratus consultants with the subject, “file and text,” produced by Stratus and bearing the Bates numbers STRATUS-NATIVE066362 – 066363.

599. Attached to the Feb. 3 Hendricks Decl. as Exhibit 355 (Dkt. 49-19) is a true and correct copy of an email dated March 7, 2008 from D. Beltman to info@translatingspanish.com with the subject, “One more annex,” produced by Stratus and bearing Bates numbers STRATUS-NATIVE063233.

600. Attached to the Feb. 3 Hendricks Decl. as Exhibit 356 (Dkt. 49-20) is a true and correct copy of an email dated March 10, 2008 from D. Beltman to S. Donziger, copying A. Maest, with the subject, “Another annex: ecological risks,” produced by Stratus and bearing the Bates number STRATUS-NATIVE057765.

601. Attached to the Feb. 3 Hendricks Decl. as Exhibit 357 (Dkt. 49-21) is a true and correct copy of an email dated March 11, 2008 from info@translatingspanish.com to D. Beltman and A. Maest with the subject, “VSL Annex translation,” produced by Stratus and bearing the Bates number STRATUS-NATIVE070536.

602. Attached to the Feb. 3 Hendricks Decl. as Exhibit 358 (Dkt. 49-22) is a true and correct copy of an email chain dated March 13, 2008 between D. Beltman and S. Donziger, copying A. Maest, with the subject, “catch up,” produced by Stratus and bearing the Bates numbers STRATUS-NATIVE065019 – 06020.

603. Attached to the Feb. 3 Hendricks Decl. as Exhibit 359 (Dkt. 49-23) is a true and correct copy of an email dated March 18, 2008 from D. Beltman to Eric English and Brian Lazar of Stratus with the subject, “unjust enrichment annex,” produced by Stratus and bearing the Bates number STRATUS-NATIVE057060.

604. Attached to the Feb. 3 Hendricks Decl. as Exhibit 360 (Dkt. 49-24) is a true and correct copy of an email chain dated March 20-21, 2008 between D. Beltman and W. Powers ending with an email with the subject, “Did Stratus have Fernando Reyes under contract at any time?,” produced by Stratus and bearing the Bates number STRATUS-NATIVE069219.

605. Attached to the Feb. 3 Hendricks Decl. as Exhibit 361 (Dkt. 49-25) is a true and correct copy of an email dated March 20, 2008 from A. Maest to D. Beltman with the subject, “Remediation costs annex – questions about edits,” produced by Stratus and bearing the Bates number STRATUS-NATIVE069368.

606. Attached to the Feb. 3 Hendricks Decl. as Exhibit 362 (Dkt. 49-26) is a true and correct copy of an email chain dated March 20-21, 2008 among D. Beltman, B. Lazar, and A. Maest with the subject, “soil remediation annex,” produced by Stratus and bearing the Bates numbers STRATUS-NATIVE068308 – 068310.

607. Attached to the Feb. 3 Hendricks Decl. as Exhibit 363 (Dkt. 49-27) is a true and correct copy of an email dated March 22, 2008 from W. Powers to D. Beltman, copying S.

Donziger and A. Maest, with the subject, “final attached RE: Status?,” produced by Stratus and bearing the Bates number STRATUS-NATIVE059962.

608. Attached to the Feb. 3 Hendricks Decl. as Exhibit 364 (Dkt. 49-28) is a true and correct copy of an email dated March 24, 2008 from D. Beltman to E. English, D. Mills, and D. Chapman with the subject, “reliability of surveys,” produced by Stratus and bearing the Bates number STRATUS-NATIVE055847.

609. Attached to the Feb. 3 Hendricks Decl. as Exhibit 365 (Dkt. 49-29) is a true and correct copy of an email dated March 27, 2008 from P. Fajardo to J. Peers with the subject, “Re: Figuras corregidas - Anexo IMPACTOS ECOLOGICOS,” produced by Stratus and bearing the Bates number STRATUS-NATIVE052259.

610. Attached to the Feb. 3 Hendricks Decl. as Exhibit 366 (Dkt. 49-30) is a true and correct copy of a press release issued by Amazon Defense Coalition / Frente de Defensa de la Amazonia entitled, “Chevron Should Stop Hiding Behind Bogus PR Campaigns & Use Record Profits to Clean Up Its Toxic Wastes,” dated May 21, 2008, *available at* <http://chevrontoxico.com/news-and-multimedia/2008/0521-chevron-should-stop-hiding-behind-bogus-pr-campaigns.html>.

611. Attached to the Feb. 3 Hendricks Decl. as Exhibit 367 (Dkt. 49-31) is a true and correct copy of an email dated June 26, 2008 from S. Donziger to P. Fajardo, L. Yanza, and others with the subject, “important,” produced by Donziger and bearing the Bates numbers DONZ00026544.

612. Attached to the Feb. 3 Hendricks Decl. as Exhibit 368 (Dkt. 49-32) is a true and correct copy of an email dated July 31, 2008 from P. Fajardo to A. Maest, D. Beltman, J. Peers,

and S. Donziger with the subject, "TRABAJO INFORME CABRERA," produced by Stratus and bearing the Bates numbers STRATUS-NATIVE057025.

613. Attached to the Feb. 3 Hendricks Decl. as Exhibit 369 (Dkt. 49-33) is a true and correct copy of an email chain dated August 4-5, 2008 among D. Beltman, J. Kohn, and S. Donziger with the subject, "CONFIDENTIAL -- CLEANUP COMPLETENESS VS. COSTS," produced by S. Donziger and bearing the Bates number DONZ00026662.

614. Attached to the Feb. 3 Hendricks Decl. as Exhibit 370 (Dkt. 49-34) is a true and correct copy of an email dated October 31, 2008 from A. Maest to W. Powers, copying D. Beltman and J. Peers, with the subject, "Reinjection and gas capture questions," produced by W. Powers and bearing the Bates numbers CA000816-17, and a certified English translation thereof.

615. Attached to the Feb. 3 Hendricks Decl. as Exhibit 371 (Dkt. 49-35) is a true and correct copy of an email chain dated November 3-4, 2008 among W. Powers, A. Maest, and D. Beltman with the subject, "response to Qs on reinjection and use of produced gas," produced by Stratus and bearing the Bates number STRATUS-NATIVE069529.

616. Attached to the Feb. 3 Hendricks Decl. as Exhibit 372 (Dkt. 49-36) is a true and correct copy of an email chain dated November 4-5, 2008 between D. Beltman and S. Donziger with the subject, "important -- Clapp," produced by Stratus and bearing the Bates number STRATUS-NATIVE066829.

617. Attached to the Feb. 3 Hendricks Decl. as Exhibit 373 (Dkt. 49-37) is a true and correct copy of the Ecuadorian Plaintiffs' Brief in Support of Motion to Quash, filed on May 7, 2010 in *Chevron Corp. v. 3TM Consulting, LLC*, No. 4: 10-mc-134 (S.D. Tex.).

618. Attached to the Feb. 3 Hendricks Decl. as Exhibit 374 (Dkt. 49-38 through 50-2) is a true and correct copy of the Declaration of Pablo Fajardo Mendoza, filed as Exhibit 2 to the

Ecuadorian Plaintiffs' Brief in Support of Motion to Quash, filed on May 7, 2010 in *Chevron Corp. v. 3TM Consulting, LLC.*, No. 4: 10-mc-134 (S.D. Tex.).

619. Attached to the Feb. 3 Hendricks Decl. as Exhibit 375 (Dkt. 50-3 through 50-4) is a true and correct copy of the Declaration of Pablo Fajardo Mendoza, dated May 5, 2010, filed as Exhibit O to the Certification of James T. Hunt, Jr. in Support of the Response of the Ecuadorian Plaintiffs, Uhl, Baron, Rana & Associates, Inc., and Juan Cristóbal Villao Yopez to Order to Show Cause and Opposition to Chevron Corporation's Application for an Order Pursuant to 28 U.S.C. § 1782 to Conduct Discovery, filed on June 7, 2010 in *In re Application of Chevron Corp.*, No. 2:10-cv-02675 (SRC) (MAS) (D.N.J.).

620. Attached to the Feb. 3 Hendricks Decl. as Exhibit 376 (Dkt. 50-5) is a true and correct copy of the Plaintiffs' Second Response to "Update on Lago Agrio Proceeding and Request for Status Conference on June 21, 2010," filed on June 21, 2010 in *Chevron Corp. v. Stratus Consulting, Inc.*, No. 1:10-cv-00047-MSK-MEH (D. Colo.).

621. Attached to the Feb. 3 Hendricks Decl. as Exhibit 377 (Dkt. 50-6) is a true and correct copy of a Petition to the Lago Agrio Court, submitted by Pablo Fajardo to the Lago Agrio Court on June 20, 2010, filed as Exhibit A to the Plaintiffs' Second Response to "Update on Lago Agrio Proceeding and Request for Status Conference on June 21, 2010," filed on June 21, 2010 in *Chevron Corp. v. Stratus Consulting, Inc.*, No. 1:10-cv-00047-MSK-MEH (D. Colo.).

622. Attached to the Feb. 3 Hendricks Decl. as Exhibit 378 (Dkt. 50-7) is a true and correct copy of a Motion to Quash Subpoena Duces Tecum and Ad Testificandum Issued to E-Tech International and William Powers by Chevron Pursuant to 28 U.S.C. 1782, filed on June 26, 2010 in *Chevron Corp. v. E-Tech International*, No. 10-cv-1146-IEG-WMC (S.D. Cal.).

623. Attached to the Feb. 3 Hendricks Decl. as Exhibit 379 (Dkt. 50-8 through 50-9) is a true and correct copy of the Declaration of Pablo Fajardo Mendoza, dated May 5, 2010, filed as Exhibit O to the Declaration of Maria C. Severson in Support of Plaintiffs' and Respondents' Motion to Quash Subpoenas, filed on June 26, 2010 in *Chevron Corporation v. E-Tech International*, No. 10-cv-1146-IEG-WMC (S.D. Cal.).

624. Attached hereto as Exhibit BP is a true and correct copy of an email dated July 1, 2010 from E. Westenberger to E. Daleo with the subject, "Re: Tomorrow's Production to Chevron," produced by S. Donziger and bearing the Bates number DONZ00104702.

625. Attached to the Feb. 3 Hendricks Decl. as Exhibit 380 (Dkt. 50-10) is a true and correct copy of Appellant's Reply Brief, filed on August 2, 2010 in *Ecuadorian Plaintiffs v. Chevron Corp.*, No. 10-20389 (5th Cir.)

626. Attached to the Feb. 3 Hendricks Decl. as Exhibit 381 (Dkt. 50-11 through 51-3) is a true and correct copy of the Declaration of Pablo Fajardo Mendoza, dated May 5, 2010, filed as Exhibit I to the Declaration of W. David Bridgers in Support of Respondent Mark Quarles and Interested Parties the Lago Agrio Plaintiffs' Opposition to Application of Chevron Corporation For an Order Pursuant to 28 U.S.C. § 1782 to Conduct Discovery, filed on August 11, 2010 in *Chevron Corporation v. Quarles*, No. 3:10-cv-00686 (M.D. Tenn).

627. Attached to the Feb. 3 Hendricks Decl. as Exhibit 382 (Dkt. 51-4 through 51-5) is a true and correct copy of the Declaration of Pablo Fajardo Mendoza, dated May 5, 2010, filed as Exhibit I to the Declaration of Wyatt S. Stevens in Support of Respondent Charles Champ and Interested Parties the Lago Agrio Plaintiffs' Opposition to Application of Chevron Corporation For an Order Pursuant to 28 U.S.C. § 1782 to Conduct Discovery, filed on August 24, 2010 in *Chevron Corp. v. Champ*, No. 1:10-mc-00027-GCM-DLH (W.D.N.C.).

628. Attached to the Feb. 3 Hendricks Decl. as Exhibit 383 (Dkt. 51-6) is a true and correct copy of the Declaration of Pablo Fajardo Mendoza, dated May 5, 2010, filed as Exhibit 7 to the Declaration of John W. Boyd in Support of Respondents' and Ecuadorian Plaintiffs Preliminary Response, filed on August 25, 2010 in *Chevron Corp.*, No. 1:10-mc-00021-JCH-LFG (D.N.M.).

629. Attached to the Feb. 3 Hendricks Decl. as Exhibit 384 (Dkt. 51-7) is a true and correct copy of the Declaration of Pablo Fajardo Mendoza, dated May 5, 2010, filed as Exhibit 46 to the Declaration of O. Andrew F. Wilson in Support of Ecuadorian Plaintiffs' Motion to Quash or Modify Subpoenas Served Upon Steven R. Donziger, filed on August 28, 2010 in *In Re Application of Chevron Corp.*, No. 1:10-mc-00002-LAK (S.D.N.Y.).

630. Attached hereto as Exhibit BQ is a true and correct copy of an email dated October 20, 2010 from S. Donziger to M. Goldhaber with the subject, "interesting/Ecuador/time sensitive," produced by S. Donziger and bearing the Bates number DONZS00004925.

631. Attached hereto as Exhibit BR is a true and correct copy of an email dated November 30, 2010 from S. Donziger to J. Tyrrell and E. Westenberger with the subject, "meeting today," produced by S. Donziger and bearing the Bates number DONZS00015092.

632. Attached hereto as Exhibit BS is a true and correct copy of an email dated August 31, 2009 from A. Woods to S. Donziger with the subject, "Nunez," produced by Stratus and bearing the Bates number STRATUS-NATIVE048511.

633. Attached hereto as Exhibit BT is a true and correct copy of an email dated September 17, 2007 from L. Yanza to S. Donziger with the subject "Re: transferencia" ["Re: Transfer"] recovered from S. Donziger's hard drives and bearing the Bates number DONZ-HDD-0125950, and a certified English translation thereof.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 29th day of November, 2011 at New York, New York.


Kristen L. Hendricks